

## SENATE

WEDNESDAY, December 22, 1926

By Mr. MURPHY: A bill (H. R. 15584) granting an increase of pension to Minerva F. Gillespie; to the Committee on Invalid Pensions.

By Mr. SCHAFER: A bill (H. R. 15585) granting an increase of pension to Minnie A. Tilden; to the Committee on Pensions. Also, a bill (H. R. 15586) granting a pension to Daniel W. Peters; to the Committee on Pensions.

By Mr. SPEAKS: A bill (H. R. 15587) granting an increase of pension to Anna E. Cameron; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15588) granting an increase of pension to Lydia M. Rice; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 15589) granting an increase of pension to Temperance C. Ward; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 15590) granting an increase of pension to Mary J. Stover; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 15591) granting an increase of pension to Charles F. Bobo; to the Committee on Pensions.

Also, a bill (H. R. 15592) granting an increase of pension to George Hutson; to the Committee on Pensions.

Also, a bill (H. R. 15593) granting a pension to Elijah Wilson; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 15594) for the relief of William Champney; to the committee on Claims.

Also, a bill (H. R. 15595) granting a pension to Harriet E. Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15596) granting a pension to Earl A. Martin; to the Committee on Pensions.

Also, a bill (H. R. 15597) for the retirement as ensign of George E. Tarbox, jr.; to the Committee on Naval Affairs.

Also, a bill (H. R. 15598) granting a pension to Mary Ann Ball; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 15599) to authorize the President to appoint Maj. Harry L. Collins a major in the Quartermaster Corps of the Regular Army; to the Committee on Military Affairs.

By Mr. WYANT: A bill (H. R. 15600) granting an increase of pension to Ada F. Machesney; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4388. By Mr. CARTER of California: Petition of Lieut. John H. Alexander Camp, No. 3, United Spanish War Veterans, Department of California, urging the passage of Senate bill 2081, placing certain noncommissioned officers in grade 1; to the committee on Military Affairs.

Also petition of Associated Sportsmen's Clubs of California, protesting against the commercialization in any form of any part of the national parks; to the Committee on the Public Lands.

4390. By Mr. CRAMTON: Petition signed by Bruce Ramsey and 24 other residents of Sanilac County, Mich., urging the passage of the deportation bill; to the Committee on Immigration.

4391. By Mr. W. T. FITZGERALD: Memorial of the Altruism Club, Troy, Ohio, protesting against the proposed withdrawal of 8,000 acres of Yellowstone National Park for irrigation purposes; to the Committee on the Public Lands.

4392. By Mr. HUDSPETH: Petition of citizens of Fort Davis, Tex., urging the passage of legislation providing increases in the pensions of Indian war veterans and their widows; to the Committee on Pensions.

4393. By Mr. PRALL: Petition by the banking and currency committee of the National Association of Credit Men at New York City, November 4, 1926; to the Committee on Banking and Currency.

4394. By Mr. SCHAFER: Petition of Federal Trade Council of Milwaukee, regarding the Sacco-Vanzetti case; to the Committee on the Judiciary.

4395. Also, petition of International Association of Fire Fighters, Local Union No. 215, city of Milwaukee, Wis., regarding the Department of Justice actions in the Sacco-Vanzetti case; to the Committee on the Judiciary.

4396. By Mr. STRONG of Kansas: Petition of citizens of Idana, Kans., urging enactment of legislation to increase the pensions of the veterans of Indian wars, their widows and dependents; to the Committee on Pensions.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father and our God, revealed to us in the person and work of Thy Son, our Saviour, we come before Thee this morning with gladsome hearts, recognizing the happy season and rejoicing before Thee that in Jesus Christ a wonderful redemption has been revealed. May each home be made glad this week, and may each family rejoice in the fullness of blessing. And, Father, forget not the peoples of the earth. May the old, old song be heard once again calling for peace on earth and good will among men. Hear us; help us, till the day is done. Through Jesus Christ, our Lord. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Friday last when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 4741. An act providing for the promotion of Lieut. Commander Richard E. Byrd, United States Navy, retired, and awarding to him a congressional medal of honor; and

S. 4742. An act providing for the promotion of Floyd Bennett, aviation pilot, United States Navy, and awarding to him a congressional medal of honor.

The message also announced that the House had passed a bill (H. R. 15008) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1928, and for other purposes, in which it requested the concurrence of the Senate.

## CREDENTIALS

The VICE PRESIDENT laid before the Senate the certificate of election of FRANK R. GOODING, of Idaho, which was read and ordered to be filed, as follows:

UNITED STATES OF AMERICA,  
STATE OF IDAHO.

To all to whom these presents shall come, greeting:

Whereas the State board of canvassers of the State of Idaho, in obedience to the provisions of section 637 of the Compiled Statutes of Idaho, has found, certified, and declared that a canvass of the abstract of votes cast at the general election held in the State of Idaho on the 2d day of November, 1926, shows that FRANK R. GOODING, of Gooding, has received the greatest number of legal votes cast for the office of United States Senator.

Now, therefore, I, F. A. Jeter, secretary of state of the State of Idaho, do hereby certify and declare that the said FRANK R. GOODING, of Gooding, has been duly and regularly elected to the office of United States Senator for the six-year term beginning March 4, 1927, and that he is entitled to all the rights, honors, and privileges pertaining thereto.

In testimony whereof I have hereunto set my hand and affixed the Great Seal of the State. Done at Boise City, the Capital of Idaho, this 1st day of December, in the year of our Lord, 1926, and of the Independence of the United States of America the One hundred and fifty-first.

[SEAL.]

F. A. JETER,  
Secretary of State.

The VICE PRESIDENT laid before the Senate the certificate of election of E. D. SMITH, of South Carolina, which was read and ordered to be filed, as follows:

STATE OF SOUTH CAROLINA,  
DEPARTMENT OF STATE,  
Columbia.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November, 1926, Hon. E. D. SMITH was duly chosen by the qualified electors of the State of South Carolina a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1927.

Witness: His excellency our governor, Thomas G. McLeod, and our seal hereto affixed at Columbia this 30th day of November, in the year of our Lord 1926.

By the governor:

[SEAL.]

THOS. G. McLEOD, Governor.

W. P. BLACKWELL,  
Secretary of State.

The VICE PRESIDENT laid before the Senate the certificate of election of SAMUEL M. SHORTRIDGE, of California, which was read and ordered to be filed, as follows:

STATE OF CALIFORNIA,  
EXECUTIVE DEPARTMENT.

*Know all men by these presents:*

Whereas it appears from the statement of the vote made by the secretary of state and filed in his office, a copy of which has been transmitted to this office, that at the general election held on Tuesday, the 2d day of November, 1926, in this State, SAMUEL M. SHORTRIDGE received the highest number of votes cast for the office of United States Senator.

Now, therefore, I, Friend William Richardson, as Governor of the State of California, in the name and by the authority of the people of the State of California, do hereby recommission him to hold said office.

In testimony whereof, I have hereunto set my hand and caused the great seal of the State to be affixed at the city of Sacramento, this 15th day of December, 1926.

F. W. RICHARDSON, *Governor.*

By the governor:  
[SEAL.]

FRANK C. JORDAN,  
*Secretary of State.*

#### REPORT OF THE WAR FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate the annual report of the War Finance Corporation, submitted pursuant to law for the year ended November 30, 1926, which was referred to the Committee on Finance.

#### INTEREST ERRONEOUSLY COLLECTED FROM CERTAIN RAILROADS

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, stating that in connection with the administration of certain sections of the transportation act, 1920, as amended, the Treasury erroneously collected interest at 6 per cent per annum on overpayments made to certain railroads under sections 209 (g) and 212 of that act, and transmitting a draft of proposed legislation relative to the matter, which, with the accompanying papers, was referred to the Committee on Appropriations.

#### PETITIONS

Mr. CAPPER. I present resolutions adopted by the recent national convention of the National Farmers Union at Hot Springs, Ark., embodying their wishes as to certain agricultural legislation. I ask that they may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Resolutions adopted by the National Farmers' Union at its national convention, held at Hot Springs, Ark., on November 28, 1926

We recommend a revision of tariff schedules in the interest of agriculture.

We demand a downward revision of freight rates and the repeal of the so-called guarantee clause of the Esch-Cummins law.

*Be it resolved* That we are opposed to military training in our high schools and colleges and seriously object to the excessive expenditures for maintenance of State military and citizens' training camps under the guise of education.

We are opposed to the proposed refund of income tax suggested by Secretary Mellon.

We approve of the stand taken by Senator NORRIS, of Nebraska, in regard to Muscle Shoals.

*Be it resolved*, That the Government immediately take over the Federal reserve banking system and operate it and resume full control of the issuance of currency and furnish credit to producers at a low rate of interest and that inflation and deflation of currency and credits shall be absolutely in control of Congress.

We hereby indorse the principles of a farm relief measure being enacted by Congress that will place agriculture on a basis of equality with other industries, properly financed by Government loans, and control to be vested in the farmers themselves, with the selection of board members from the bona fide cooperative associations within three years from time of organization.

#### Resolution on Grain Belt federation of farm organizations

The most constructive action taken to coordinate the efforts of the different groups of farmers was the meeting called by the National Farmers' Union for Des Moines, Iowa, May 12, 1925.

An invitation was sent to every producing group of farmers, inviting them to take part in this meeting, which had for its battle cry the fundamental, economic principle, "Cost of production for the American farmer."

In response to this invitation sent out by your national organization, 24 producing groups of farmers gathered together at Des Moines, Iowa,

and pledged themselves and their organization to work together to obtain for the farmers cost of production and established the Corn Belt committee.

We heartily approve and indorse the work of this committee and recommend that the Farmers' Union continue to give this child of ours the splendid support that has already been given to it and to maintain it as the organized authority to speak for agriculture.

We indorse its stand on legislation, which is the renewal of the fight with increased vigor for farm legislation along lines of surplus control with cost of production as a basis for determining price.

We also recommend that our national president be instructed to appoint a committee of three to confer and work with the legislative committee of the Corn Belt committee in shaping measures for agricultural relief.

J. M. COLLINS,  
JOHN TROMBLE,  
A. V. SWIFT,  
BEN SKEEN,  
J. W. BATCHELLER,

E. C. TRULL,  
HOMER DUFFY,  
E. C. GRIFFITH,  
GEO. H. BOWLES,  
GEO. LARSON,

*Committee on Resolutions.*

Mr. CAPPER also presented a petition of sundry citizens of Reserve, Kans., praying for the passage of legislation regulating radio broadcasting, which was ordered to lie on the table.

Mr. KENDRICK presented petitions numerously signed by sundry citizens of Casper, Rock River, and Riverton, all in the State of Wyoming, praying for the passage of legislation regulating radio broadcasting, which were ordered to lie on the table.

Mr. FRAZIER presented the petitions of Harold King and 27 other citizens of Park River, of P. A. Nordhaug and 35 other citizens of Fargo, and of Dorothy L. Martin and 62 other citizens of Wilton and vicinity, all in the State of North Dakota, praying for the passage of legislation regulating radio broadcasting, which were ordered to lie on the table.

Mr. WILLIS presented a petition of sundry citizens of Zanesville and vicinity, in the State of Ohio, praying for the passage of legislation granting increased pensions to Civil War veterans and widows, which was referred to the Committee on Pensions.

#### AGRICULTURAL RELIEF

Mr. McNARY. Mr. President, about a week ago I introduced a bill for agricultural relief, at which time I attempted to set forth the difference between the bill now before the Congress for its consideration and the one introduced last year. It is a brief statement, and I think shows the difference between the two measures. I ask unanimous consent that it may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. Mr. McNARY's statement is as follows:

While the new bill retains many of the essentials of the old bill, the changes, omissions, and additions are sufficiently numerous and important to make it distinctly a new bill.

The bill is essentially a surplus control bill, the sole aim being to stabilize prices through control of the surplus. For that purpose a separate "stabilization fund" is provided for each of the five basic commodities—cotton, wheat, corn, rice, and hogs. These stabilization funds are to be drawn from the "marketed units" of each commodity and are to be employed in "removing or withholding or disposing" of the surplus by cooperatives, or if there are no cooperatives capable of doing the job, by persons engaged in processing such commodities. No public funds may be used directly in effecting such control, but loans may be made from a revolving fund of \$250,000,000 to the several commodity stabilization funds in anticipation of the collection of the equalization fees, all such loans to be repaid with interest. The Federal Farm Board will not itself buy or sell anything on its own account.

All reference to price levels and price standards are omitted. The sole authority granted by the bill is to stabilize markets against undue and excessive fluctuations and to preserve advantageous domestic markets by "withholding or removing or disposing" of the surplus. No standard of stabilization and no price level are mentioned in the new bill. The aim is to provide funds drawn from each commodity to be employed in stabilizing the market for that commodity by sound commercial methods.

The Federal Farm Board is retained, but important changes are made in the advisory council section. The old bill provided for a national advisory council, selected by farmers' organizations, which should make nominations to the President and act in an advisory capacity to the Federal Farm Board. In the new bill nominations will be made to the President by a nominating committee chosen by farm organizations, and provision is made for nonsalaried commodity advisory councils for each basic commodity, to be appointed by the board from lists submitted by representative producers' organizations, which will

consult and advise with the board with respect to all matters under its jurisdiction, and especially "to cooperate with the board in advising producers in the adjustment of production in order to secure maximum benefits under this act."

Rice has been included in the bill by urgent request of southern rice growers. Market conditions for rice are comparable with those for wheat. There is a tariff on rice, but it is effective only in years of small crops when there is little or no exportable surplus.

An equalization fee is provided for all basic commodities, which must be applied when operations begin with respect to such commodity.

The new draft omits the provision in the old bill which deferred the collection of an equalization fee on cotton for three years and until Congress should authorize its imposition. The provision for stabilizing cotton for three years with Government funds is also omitted. This removes all ground for criticism on the score of granting a subsidy to cotton.

In the old bill the equalization fee was imposed upon "all producers" of the basic commodities named in the bill. In the new draft the fee is imposed upon "each marketed unit" of such commodities. This carries out the idea that we are dealing with the commodity rather than with individual farmers. The fee will be collected at the most convenient point along the route of the commodity to market. The board is given authority to collect it on transportation or on the first sale or at the processing or milling point.

The new draft carries over unchanged the section authorizing loans to cooperatives for the purpose of acquiring facilities for storage and processing, with provision for amortizing repayment over a period not longer than 25 years. The total amount of such loans may not exceed \$25,000,000.

A new provision authorizes the board to make loans from the revolving fund "upon such terms and conditions and in accordance with such regulation as it may prescribe," to cooperative associations handling any commodity (whether or not it is a basic commodity) "for the purpose of assisting such cooperative association in controlling the surplus of such commodity in excess of the requirement for orderly marketing." This extends the credit benefits of the bill to producers of any and all commodities, whether or not they are defined in the bill as basic commodities. This provision will enable the board to accomplish all that can be accomplished in the way of farm relief through loans to cooperatives.

Thus it will be noted that the new bill combines the plan for stabilizing the five basic commodities through the use of a stabilization fund drawn from each, with a credit plan for stabilizing all farm commodities in so far as it can be done through the wise extension of credit to cooperatives and is not in any particular a price-fixing device, plan, or proposal; and if enacted, will include the American farmer in the American standards of living.

#### WASHINGTON'S CROSSING OF THE DELAWARE

Mr. WALSH of Massachusetts. Mr. President, 150 years ago Christmas night, to wit, December 25, 1776, an event in American history took place which has been given larger space in the popular imagination than any other battle of the Revolution, save perhaps Lexington and Bunker Hill. Though it was little more than a skirmish compared to the great battles of history, there was a certain initiative about it, a courage, energy, and endurance typical of the American spirit. I refer to Washington's crossing of the Delaware. Historians agree that the fate of the cause of the colonists—the liberties we enjoy to-day—depended upon that event on that stormy Christmas night. Everything was at stake.

In order that we may refresh our recollection of the event and make this one hundred and fiftieth anniversary a source of renewed inspiration to us by recalling the bravery and the sacrifices of Washington and his small, unpaid, and half-starved army, I ask unanimous consent that the descriptions of this brilliant exploit of the American patriots under Washington's leadership, as vividly portrayed by the late Senator Henry Cabot Lodge in his *Story of the Revolution*, be printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the *Story of the Revolution*, by Henry Cabot Lodge, vol. 1, ch. 9]

#### TRENTON AND PRINCETON

It is easy to see now that while the British had been highly successful in their immediate objects, they had been defeated in the greater object, upon which the fate of the war really turned. It is easy, too, to appreciate the ability with which Washington had fought, losing fights in such a way as to defeat the essential purpose of the English campaign. But at the time none of these things were apparent, and they were not understood. At the moment the country saw only unbroken defeat, and the spirit and hope of the Americans sank. The darkest hour of the Revolution had come.

Fort Washington fell on November 16. This rendered Fort Lee useless, and Washington ordered its immediate evacuation. While the

necessary preparations were being made the enemy landed and Greene was forced to withdraw in great haste, saving his men but losing everything else. He at once joined the main army, and it was well he could do so, for the situation was critical in the extreme. Washington was now in an open, flat country, where he could not slip from one strong position to another and hold the British in check as he had done on the Hudson. His army, too, was going to pieces. The continued reverses had increased desertions, and the curse of short enlistments, due to the lack of foresight and determination in Congress, was telling with deadly effect. When their terms expired the militia could not be induced to stay, but departed incontinently to their homes. Washington sent urgent orders to Lee, who had been left behind in the Highlands with 3,000 men, to join him, but Lee, who thought Washington "damnable deficient," and longed for an independent command, disobeyed orders, lingered carelessly, and talked largely about attacking the enemy in the rear. While thus usefully engaged he was picked up by a British scouting party and made a prisoner. At the time this incident was thought to be a disaster, for the Colonial idea that Lee was a great man, solely because he was an Englishman, was still prevalent. As a matter of fact, it was a piece of good fortune, because, although a clever man, he was a mere critic and fault finder and was an endless trouble to the American general.

Washington, holding up as best he might against all these reverses, and with hardly 3,000 men now left in his army, was forced to retreat. He moved rapidly and cautiously, holding his little force together and watching the enemy. The British came on unresisted to Trenton and contemplated an advance to Philadelphia. There all was panic, and the people began to leave the city. In New Jersey many persons entered the British lines to accept Howe's amnesty, but this movement, which might easily have gathered fatal proportions in the terror and depression which then reigned, was stopped by the action of the British themselves. Parties of British and Hessian soldiers roamed over the country, burned and pillaged houses, killed noncombatants. These outrages made the people desperate, and they stopped seeking amnesty and took up arms.

All this alarm, moreover, fortunately came to nothing. The winter was so advanced that the British decided not to go to Philadelphia, where the panic, nevertheless, continued for some days, and after Washington has been forced to cross to the west bank of the Delaware, Congress, thoroughly frightened, adjourned to Baltimore. Before going, however, they passed a resolution giving Washington "full power to order and direct all things relative to the department and to the operation of the war." Thus they put all that was left of the Revolution into his hands and made him a dictator. They could not have done a wiser act, but they were imposing a terrible burden upon their general.

Never, indeed, did a dictator find himself in greater straits. In all directions he had been sending for men while by every method he sought to hold those he already had. Yet, as fast as he gathered in new troops others left him, for the bane of short enlistments poisoned everything. He was not only fighting a civil war, but he had to make his army as he fought, and even for that he had only these shifting sands to build on. "They come," he wrote of the militia, "you can not tell when, and act you can not tell where, consume your provisions, waste your stores, and leave you at last at a critical moment." He was as near desperation as he ever came in his life. We can read it all now in his letters, but he showed nothing of it to his men. Schuyler, always faithful, sent him some troops. Sullivan, too, came with those whom Lee had tried to lead, and then it was found that the terms of these very troops were expiring and that by the new year Washington would be left with only 1,500 men, although at the moment he had between five and six thousand still with him and in outlying detachments. Opposed to him were the British, 30,000 strong, with headquarters in New York, and strong divisions cantoned in the New Jersey towns. Outnumbered 6 to 1, ill provided in every way, and with a dissolving army, it was a terrible situation to face and conquer. But Washington rose to the height of the occasion. Under the strain his full greatness came out. No more yielding to councils now, no more modest submission of his own opinion to that of others.

A lesser man, knowing that the British had suspended operations, would have drawn his army together and tried to house and recruit it through the winter. Washington, with his firm grasp of all the military and political conditions, knew that he ought to fight, and determined to do so. He accordingly resolved to attack Trenton, where Colonel Rahl was posted with 1,200 Hessians. To assure success he made every arrangement for other attacks to be combined with that of his own force, and they all alike came to nothing. Putnam was to come up from Philadelphia and did not move. Ewing was to cross near Trenton, but thought it a bad night and gave it up. Gates had already departed from Bristol, whence he was to support Washington, and had gone after Congress to get support for himself. Cadwalader came down to the river, thought that it was running too fiercely, and did not cross. They all failed. But Washington did not fail. Neither river nor storm could turn him, for he was going to fight. On the night of Christmas he marched down

to the Delaware with 2,400 men, who left bloody footprints behind them on the snow. The boats were ready. Glover's Marblehead fishermen manned them, and through floating ice, against a strong current, in the bitter cold, the troops were ferried over. It was 4 o'clock before they were formed on the Jersey side. They were late in landing, they had still 6 miles to march, and a driving storm of sleet and snow beat in their faces. Washington formed his little force in two columns, one under Greene, one under Sullivan. As they marched rapidly onward, Sullivan sent word that the muskets were wet and could not be fired. "Tell your general," said Washington, "to use the bayonet, for the town must be taken." So they pressed forward, the gray winter light slowly brightening around them.

In the town to which they were bound all was comfort. While the Americans had been rowing across a swollen river amid floating ice and marching with bloodstained steps through storm and darkness the Hessians had been celebrating a hearty German Christmas. They had caroused late and without fear. Rahl had been warned that Washington was planning an attack, but contempt for their foe was again uppermost in the British councils, and he laughed and paid no heed. From their comfortable slumbers and warm beds, with the memories of their Christmas feasting still with them, these poor Germans were roused to meet a fierce assault from men ragged, indeed, but desperate, with all the courage of their race rising high in the darkest hour, and led by a great soldier who meant to fight.

Washington and Greene came down the Pennington Road driving the pickets before them. As they advanced they heard the cheers of Sullivan's men, as with Stark in the van they charged up from the river. The Hessians poured out from their barracks, were forced back by a fierce bayonet charge, and then, trying to escape by the Brunswick Road, were cut off by Hand's riflemen, thrown forward for that purpose by Washington. Rahl, half dressed, tried to rally his men, and was shot down. It was all over in less than an hour. The well-aimed blow had been struck so justly and so fiercely that the Hessians had no chance. About 200 escaped; some 30 were killed; and 918, with all their cannon, equipage, and plunder, surrendered at discretion as prisoners of war. The Americans lost 2 killed and 6 wounded.

The news of the victory spread fast. To convince the people of what had happened, the Hessian prisoners were marched through the streets of Philadelphia, and a Hessian flag was sent to Baltimore to hang in the Hall of Congress. The spirits of the people rose with a great rebound. The cloud of depression which rested upon the country was lifted, and hope was again felt everywhere. Troops came in from Pennsylvania and New Jersey, and the New England men agreed to stay on after the expiration of their term of enlistment.

The blow struck by Washington fell heavily upon the British. Even with their powerful army they could not afford to lose a thousand men at a stroke, nor would their prestige bear such sudden disaster. It was clear even to the sluggish mind of Howe that the American Revolution was not over, and that Washington and an American Army still kept the field. Trenton must be redeemed, and they determined to finish the business at once.

#### REPORTS OF COMMITTEES

Mr. TYSON. From the Committee on Military Affairs I report back adversely the bill (H. R. 7680) to provide for the reappointment of Maj. Chauncey S. McNeill, subject to certain conditions, and I submit a report (No. 1207) thereon. I move that the bill be indefinitely postponed.

The motion was agreed to.

Mr. TYSON, also from the Committee on Military Affairs, to which was referred the bill (S. 3614) authorizing an appropriation for the construction of a hard-surfaced road across Fort Sill (Okla.) Military Reservation, reported it without amendment, and submitted a report (No. 1208) thereon.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 11768) to regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health, reported it with an amendment and submitted a report (No. 1210) thereon.

#### HOLIDAY RECESS

Mr. CURTIS, from the Committee on Appropriation, to which was referred the following concurrent resolution (H. Con. Res. 44) reported it without amendment, and it was considered by unanimous consent and agreed to:

*Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on the legislative day of December 22, 1926, they stand adjourned until 12 o'clock meridian, Monday, January 3, 1927.*

#### SILVER SERVICE OF THE U. S. S. "MINNEAPOLIS"

Mr. HALE. From the Committee on Naval Affairs I report back favorably, with an amendment to the title, the bill (H. R. 11515) authorizing the Secretary of the Navy, in his discretion,

to deliver to the custody of the city of Minneapolis the silver service set in use on the cruiser *Minneapolis*, and I submit a report (No. 1209) thereon. I ask unanimous consent for its immediate consideration.

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

*Be it enacted, etc., That the Secretary of the Navy is authorized, in his discretion, to deliver to the custody of the city of Minneapolis, for preservation and exhibition the silver service which was in use on the U. S. S. Minneapolis: Provided, That no expense shall be incurred by the United States for the delivery of such silver service.*

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Minneapolis the silver service set in use on the cruiser *Minneapolis*."

#### FUNERAL EXPENSES OF THE LATE SENATOR MCKINLEY

Mr. KEYES, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported back favorably without amendment the resolution (S. Res. 300) submitted by Mr. DENEEN on the 17th instant, which was read, considered by unanimous consent, and agreed to as follows:

*Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of the Hon. WILLIAM B. MCKINLEY, late a Senator from the State of Illinois, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.*

#### EFFIE DAVIES DINGER

Mr. KEYES, from the same committee reported back favorably without amendment the resolution (S. Res. 295) submitted by Mr. GOFF on the 13th instant, which was read, considered by unanimous consent, and agreed to, as follows:

*Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Effie Davies Dinger, widow of David C. Dinger, late a messenger in the employ of the Senate, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.*

#### SPECIAL CLERK, AGRICULTURAL COMMITTEE

Mr. KEYES, from the same committee, reported back favorably without amendment the resolution (S. Res. 298) submitted by Mr. McNARY on the 16th instant, which was read, as follows:

*Resolved, That the Committee on Agriculture and Forestry hereby is authorized to employ a special assistant clerk until June 30, 1927, inclusive, to be paid out of the contingent fund of the Senate at the rate of \$2,500 per annum.*

Mr. JONES of Washington. For how long a time does the resolution authorize the employment of the clerk?

Mr. KEYES. Only until June 30, 1927.

The resolution was considered by unanimous consent and agreed to.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. KENDRICK:

A bill (S. 4949) to amend section 2 of the act of March 3, 1905, entitled "An act to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations to carry the same into effect"; to the Committee on Indian Affairs.

By Mr. FERRIS:

A bill (S. 4950) granting an increase of pension to Mary E. Bennett; to the Committee on Pensions.

By Mr. DILL:

A bill (S. 4951) granting a pension to Clara M. Roberts; to the Committee on Pensions.

A bill (S. 4952) for the relief of the heirs of Joshua Curtis, deceased; to the Committee on Claims.

By Mr. WATSON:

A bill (S. 4953) for the relief of Charles G. Keiser; to the Committee on Civil Service.

By Mr. METCALF:

A bill (S. 4954) to change the title of the United States Court of Customs Appeals, and for other purposes; to the Committee on Finance.

A bill (S. 4955) granting an increase of pension to Sarah A. Hunt (with accompanying papers); to the Committee on Pensions.

A bill (S. 4956) to amend section 476 and section 4934 of the Revised Statutes; to the Committee on Patents.

A bill (S. 4957) to amend section 129 of the Judicial Code, allowing an appeal in a patent suit from a decree which is final except for the ordering of an accounting; and

A bill (S. 4958) to amend section 4900 of the United States Revised Statutes; to the Committee on Patents.

By Mr. HARRELD:

A bill (S. 4959) for the relief of A. G. Wilson (with accompanying papers); to the Committee on Claims.

By Mr. PEPPER:

A bill (S. 4960) granting a pension to Cyrus Garfield Fox; to the Committee on Pensions.

A bill (S. 4961) for the relief of Paymaster Charles Robert O'Leary, United States Navy; to the Committee on Naval Affairs.

By Mr. JOHNSON:

A bill (S. 4962) granting an increase of pension to Mary J. Leiber; to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 4963) for the relief of Harry C. Hall; to the Committee on Civil Service.

A bill (S. 4964) transferring a portion of the lands of the military reservation of the Presidio of San Francisco to the Department of the Treasury; to the Committee on Military Affairs.

By Mr. BROUSSARD:

A bill (S. 4965) to authorize the United States Veterans' Bureau to accept a title to lands required for a hospital site in Rapides Parish, La.; to the Committee on Public Buildings and Grounds.

By Mr. WADSWORTH:

A bill (S. 4966) to increase the efficiency of the Military Establishment, and for other purposes; to the Committee on Military Affairs.

By Mr. LENROOT:

A bill (S. 4967) authorizing William F. Notz to accept a decoration from the King of Rumania; to the Committee on Foreign Relations.

By Mr. ROBINSON of Indiana:

A bill (S. 4968) for the relief of Richard Hogan (with accompanying papers); to the Committee on Military Affairs.

By Mr. SACKETT:

A bill (S. 4969) granting a pension to William M. Davis (with accompanying papers); to the Committee on Pensions.

By Mr. REED of Pennsylvania:

A bill (S. 4970) to adjust the salaries of customs inspectors; to the Committee on Finance.

By Mr. JOHNSON:

A bill (S. 4971) granting an increase of pension to Alice I. Kelly; to the Committee on Pensions.

A bill (S. 4972) for the relief of Joseph T. McGuire; to the Committee on Claims.

A bill (S. 4973) to authorize the designation of depositories for public documents, and for other purposes; to the Committee on Printing.

#### UNITED STATES COTTON FUTURES ACT

Mr. RANSDELL. Mr. President, I introduce a bill to amend an act entitled "United States cotton futures act," approved August 11, 1916, as amended, and in connection with it I wish to submit a brief statement.

The purpose of the amendment to the cotton futures act, introduced by me, is to place the contract of the New Orleans exchange on a parity with that of New York and Chicago.

When the cotton futures act was passed in 1916 there were only two future exchanges—New York and New Orleans. The Chicago Board of Trade has only recently added cotton to the commodities dealt in on the floor of that institution, and was not considered at the time the cotton-futures legislation was enacted.

Of the two exchanges that the cotton futures act was intended to reach, there was this essential difference between them—the New York Exchange dealt in little or no spot cotton, which was one of the principal complaints responsible for the law, while, on the other hand, New Orleans was one of the principal spot cotton markets in the South, as well as being a future market.

In order to meet this situation it was provided in section 6 of the cotton futures act that future contracts should be determined by the actual commercial differences established by the sale of spot cotton in the market where the future transaction occurred "when such market be a bona fide spot market." That plainly covered the New Orleans future contract.

In the case of New York, which was not designated as a spot market, section 6 went on to say:

In the event there be no bona fide spot market at or in the place in which such future transaction occurs, then the settlement should "be determined by the average actual commercial differences" in the spot markets of not less than five places designated for the purpose from time to time by the Secretary of Agriculture.

The Secretary of Agriculture in Regulation 14, issued to accompany the cotton futures act, has designated 10 of the principal cotton centers in the South for the purpose of determining, as provided in section 6 of the act, the differences above or below the contract price which the receiver shall pay for grades other than the basis grade tendered or delivered in settlement of a section 5 contract.

Whether there is any basis for the contention or not, many traders have held that there is less chance for manipulation in the contract based on the average differences in the 10 spot markets than there is in one spot market, and for that reason some traders have preferred the New York and Chicago contracts to that of New Orleans.

The trade-extension committee of the New Orleans Cotton Exchange after carefully considering these criticisms has decided to have the New Orleans contract in this regard made identical with that of New York and Chicago.

The bill (S. 4974) to amend and reenact an act entitled "United States cotton futures act," approved August 11, 1916, as amended, was read twice by its title and referred to the Committee on Agriculture and Forestry.

#### HOUSE BILL REFERRED

The bill (H. R. 15008) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1928, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

#### CHANGES OF REFERENCE

Mr. EDGE. On December 7 I introduced the bill (S. 4556) for the relief of Edward Durell, which was referred to the Committee on Claims. At the suggestion of the chairman of the committee I ask that the reference be changed to the Committee on Military Affairs.

The VICE PRESIDENT. Without objection, it is so ordered. On motion of Mr. WARREN, the Committee on Appropriations was discharged from the further consideration of the bill (S. 4535) authorizing the Secretary of the Treasury to amend the contract executed by the Treasury Department for the construction of the Edward Hines Junior Hospital at Broad View, Ill., and it was referred to the Committee on Public Buildings and Grounds.

#### ALIEN PROPERTY ADJUSTMENT

Mr. BORAH and Mr. COPELAND each submitted an amendment intended to be proposed by them to the bill (H. R. 15009) to provide for the settlement of certain claims of American nationals against Germany and of German nationals against the United States, for the ultimate return of all property of German nationals held by the Alien Property Custodian, and for the equitable apportionment among all claimants of certain available funds, which were referred to the Committee on Finance and ordered to be printed.

#### AMENDMENT TO AGRICULTURAL DEPARTMENT APPROPRIATION BILL

Mr. ODDIE submitted an amendment intended to be proposed by him to House bill 15008, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 11, at the end of line 2, strike out the period, insert a colon in lieu thereof, and add the following:

"Provided, That not to exceed \$10,000 of this appropriation shall be immediately available, for the purpose of enabling the Department of Agriculture to participate as an exhibitor in Nevada's transcontinental highways exposition, to be held in Reno, Nev., during the months of June and July, 1927."

#### LAUSANNE TREATY

Mr. KING submitted the following resolution (S. Res. 306), which was referred to the Committee on Foreign Relations:

Whereas the United States and the allied nations, following the World War, contended for the establishment of an Armenian state and for the return to Greece of territory to which she was entitled and the protection of Christian minorities residing within Turkish territory; and

Whereas the treaty of Sevres made provisions for the realization of such contentions, and an independent Armenian state was set up, and certain territories to which Greece was entitled were restored to her; and

Whereas President Harding on the 8th day of November, 1922, gave assurance that "everything which may be done will be done to

protect the Armenian people and preserve to them the rights which the Sevres treaty undertook to bestow"; and

Whereas Turkey repudiated said treaty and joined with Soviet Russia in the destruction of the Armenian state, brutally murdered hundreds of thousands of Armenians, and drove those remaining in Anatolia and in Turkish Armenia from their homes, and confiscated their property, and also massacred hundreds of thousands of persons of Hellenic descent who were residing in Anatolia and Thrace and expelled more than 1,000,000 others from their homes and appropriated their property; and

Whereas the United States participated in the Lausanne conference which met on November 20, 1922, and prior to its meeting the Secretary of State laid down seven conditions to be complied with before any treaty would be entered into by the United States with the Turkish Government; and

Whereas Ambassador Child, the American official observer, declared before the Lausanne conference in December, 1922, a number of the essential conditions laid down by the Secretary of State and implied in the assurance given by President Harding; and

Whereas a treaty with Turkey was negotiated by the United States August 6, 1923, which abandons the essential conditions announced by Secretary Hughes and indicated in the assurances of President Harding, and is also tantamount to a betrayal of Armenia; and

Whereas at the opening of the Lausanne conference there was pending before the Turkish Government an application by certain American citizens commonly known as the Chester group, for a concession for the exploitation of the oil deposits in Mosul and Armenia, part of which projected concession, namely, that for the Mosul oil, was contested at the conference by a British group known as "The Turkish Petroleum Co."; and it is claimed that the Turkish Government guaranteed the Chester concession five months after the opening of the conference, with the avowed purpose of securing the moral and diplomatic support of the American delegation to certain Turkish contentions as against the Allies, and that the American delegation, in consideration of the granting of the Chester concession, lent moral and diplomatic support to the Turkish delegation, and agreed to abandon or did abandon most of the essential conditions which were laid down by the Department of State as a sine qua non for a new treaty with Turkey, including essential American rights, as well as the rights of Armenians, and the Christian minorities in Turkey; and

Whereas following the Lausanne conference Turkey canceled the so-called Chester concession and entered into an agreement with the British Petroleum Co., recognizing its right to exploit the oil deposits in Mosul, and an American group, headed by the Standard Oil Co., has been allotted a one-quarter interest in said oil deposits in Mosul which is, as it is claimed, in accordance with the position taken and asserted by the United States during the Lausanne conference; and

Whereas it is reported that the Standard Oil Co. is the most important and powerful advocate of the ratification of the Lausanne treaty and is seeking from Turkey a concession for the exploitation of oil fields in the Provinces of Erzerum, Van, and Bitlis, which said Provinces had been allotted to Armenia by the arbitral award of the President of the United States; and

Whereas said treaty so negotiated has been transmitted by the President of the United States to the Senate for its action thereon; and

Whereas no hearings have been had upon said treaty and no information has been submitted to the Senate by the State Department or by any person with reference to the matters herein referred to or justifying the ratification of said treaty; and

Whereas the Turkish Government, both before and since the signing of said treaty, has exhibited a contemptuous disregard of treaty obligations and has continued its cruel and despotic course toward Christian minorities within its borders, and has expelled nearly 2,000,000 Greeks and Armenians, some of whom are now the recipients of financial and other aid from the people of the United States, as well as from other countries; and

Whereas it is claimed that Kemal Pasha has recently directed that residents of Turkey and those having business or other connections with Turkey shall urge the Senate of the United States to ratify the Lausanne treaty; and

Whereas the American people have been and now are profoundly interested in all questions relating to the Near East and have been and still are deeply interested in the Armenians, and in all Christians residing in Turkey as well as those who have been expelled therefrom, and are concerned in the policy of Kemal Pasha to prevent the Armenians from occupying any part of the territory which for thousands of years was inhabited by the Armenian race, and from restoring and maintaining the Armenian Republic which was recognized as a de facto and de jure government by the United States and many other nations; and

Whereas the American people, before entering into any treaty with Kemal Pasha or any other Turkish régime, are desirous of knowing all the facts concerning the negotiation of said treaty of Lausanne and

the present conditions of the Turkish Empire and the purposes of Kemal Pasha with respect to the Armenians and to the surviving Christians in Turkey, and whether any government or régime in Turkey is competent and willing to discharge its international obligations and conform to the standards of justice which should guide civilized nations in their internal affairs as well as in their relations with each other: Therefore be it

Resolved, That the Committee on Foreign Relations be, and is hereby, directed to inquire into the matters and things herein recited, and particularly to ascertain—

(A) What reasons led to the abandonment of the conditions laid down by the Secretary of State, October 30, 1922, as conditions precedent to the negotiation of a treaty with Turkey and to the disregard of the assurances contained in the statement of President Harding under date of November 8, 1922.

(B) What, if any, action was taken by the State Department in procuring, preserving, or protecting the Chester oil concessions.

(C) What agreement, connection, or understanding existed or exists between said Chester group and the Standard Oil Co. or any of its subsidiaries, and what agreement or understanding, if any, existed or exists between the State Department and the Standard Oil Co., and what correspondence passed between them which in any manner related to the Lausanne treaty or Turkey or oil lands or oil concessions in Mosul or Armenia or any territory claimed by Turkey.

(D) What action, if any, was taken by the State Department in organizing or reorganizing the Ottoman Development Co. or any other company to take over and hold any rights obtained under any concession or otherwise, or what action was taken by said department in the control of the stock or the selection of any officers of said company.

(E) What instructions, if any, were given by the State Department to the representatives of the United States at the Lausanne conference in connection with said Chester oil concessions or said Ottoman Development Co., and what correspondence was had between the State Department and said representatives concerning said oil concessions.

(F) Whether it is a fact that the American representatives at the Lausanne conference supported the Allies in the Lausanne conference prior to the ratification of the Chester concessions April 10, 1923, or thereafter supported the position of the Turkish representatives as against the Allies in favor of the abrogation of capitulations and the abandonment of the conditions announced by the Secretary of State as essential terms of any treaty with Turkey.

(G) Whether it is a fact that a number of the members of the American delegation were formerly connected with certain oil interests, or were appointed on the American delegation at the instance of certain oil interests, and who since have resumed their connections with said interests, and also whether some of the members of the American delegation at Lausanne were the representatives of certain oil and tobacco interests.

(H) What causes led to the abandonment by American representatives at the Lausanne conference of the position theretofore taken by the State Department and by President Harding, and what reasons led to the signing by the American representatives of the Lausanne treaty.

(I) What discussions ensued at the Lausanne conference concerning the Chester concessions or the Ottoman Development Co., and what notes or other communications were exchanged between the State Department and the representatives of the United States at said conference or between the representatives of the United States and the representatives of the Turkish Government concerning said concessions; also what conversations occurred between the representatives of the Turkish Government and the United States respecting said treaty, and particularly with reference to said Chester concessions or any other concessions with respect to oil or railroads within Turkish territory.

(J) Whether it is a fact that the principal proponent and advocate of the Lausanne treaty is the Standard Oil Co., and whether it has sought or seeks concessions from Turkey for the exploitation of oil in the Provinces allotted to Armenia by the arbitration of the President of the United States.

(K) Whether it is a fact that Kemal Pasha has recently directed that all the residents of Turkey and those having business or other connections with Turkey shall urge the Senate of the United States to ratify the Lausanne treaty.

#### ALIEN ENEMY PROPERTY (S. DOC. NO. 181)

Mr. REED of Pennsylvania. I ask to have printed as a Senate document a brief on "American International Policy Relative to Alien Enemy Property," which was prepared under the direction of my predecessor, Senator Knox, by Warren F. Martin, former special assistant to the Attorney General, and J. Reuben Clark, jr., former solicitor of the State Department.

I make this request without committing myself to the expression of the sentiment in the article, but solely because I think it worthy of consideration.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

## PRESIDENTIAL APPROVAL

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on December 18, 1926, the President had approved and signed the act (S. 2855) for the relief of Cyrus S. Andrews.

ADMINISTRATION OF ALIEN PROPERTY CUSTODIAN'S OFFICE  
(S. DOC. NO. 182)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on the Judiciary:

*To the Senate:*

In response to the resolution of the Senate of December 17, 1926, Senate Resolution 299, I transmit herewith a copy of the report made by the Comptroller General to the President on his investigation of the administration of the office of the Alien Property Custodian.

Since I am advised by the Attorney General that there is at least one item in the exhibits to the report which I am prohibited from publishing under the law, and because the exhibits are very voluminous, it will be necessary to take further time for their examination before they can be submitted to the Senate.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 22, 1926.

Mr. MOSES. I move that the message of the President transmitting the report of the investigation of the office of Alien Property Custodian and the report itself may be printed as a Senate document.

The VICE PRESIDENT. In the absence of objection, it will be so ordered.

## CONDITIONS IN THE PHILIPPINES (S. DOC. NO. 180)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Territories and Insular Possessions, and ordered to be printed:

*To the Congress of the United States:*

In my annual message to the Congress I referred to Col. Carmi A. Thompson's survey, at my request, of conditions in the Philippine Islands.

I contemplated that in transmitting his report to the Congress I might wish to make more specific recommendations than those made in my annual message. I find, however, that the general line of his conclusions are in such close agreement with what is already recommended that this seems unnecessary, but on account of the interest in the text of Colonel Thompson's report and a desire to secure it, I am transmitting it herewith for the information of the Congress.

In my message I recited the fact that Governor Wood had administered his office as governor general with tact and ability and to the advantage of the Filipino people. Many, although not all, of the recommendations contained in the report undoubtedly would meet with the approval of Governor General Wood as they have been recommended by him in the past.

It will be noted that the report of Colonel Thompson is more candid and intimate than is the usual published report, but I have not felt that I should on that account withhold it from the Congress. Colonel Thompson has freely and fearlessly expressed his views on the Philippine situation. While I do not agree entirely with all his views and recommendations, I believe that the report is an excellent one and merits your careful consideration. He went to the Philippine Islands as a volunteer. He gave his time. He paid a large sum for his own expenses. For all of this he is entitled to sincere thanks.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 22, 1926.

## REPORT OF THE GOVERNOR OF PORTO RICO

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Territories and Insular Possessions:

*To the Congress of the United States:*

As required by section 12 of the act of Congress of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes," I transmit herewith, for the information of the Congress, the Twenty-sixth Annual Report of the Governor of Porto Rico, including the reports of the heads of the several departments of the government of Porto

Rico and that of the auditor, for the fiscal year ended June 30, 1926.

I recommend that the report of the Governor of Porto Rico without appendices be printed as a congressional document.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 22, 1926.

[NOTE.—Report accompanied similar message to the House of Representatives.]

## FEDERAL AID FOR NATIONAL FOREST ROADS AND TRAILS

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a report of the work performed and expenditures made during the fiscal year 1926, in the construction of forest highways and forest-development roads and trails, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

## PANAMA RAILROAD CO. REPORT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Interoceanic Canals:

*To the Congress of the United States:*

I transmit herewith, for the information of the Congress, the Seventy-seventh Annual Report of the Board of Directors of the Panama Railroad Co. for the fiscal year ended June 30, 1926.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 22, 1926.

## REPORT OF PERRY'S VICTORY MEMORIAL COMMISSION

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on the Library:

*To the Congress of the United States:*

I transmit herewith for the information of the Congress the Seventh Annual Report of Perry's Victory Memorial Commission for the year ending December 1, 1926.

CALVIN COOLIDGE.

THE WHITE HOUSE, December 22, 1926.

## ALIEN PROPERTY CUSTODIAN

Mr. KING. Mr. President, may I have the attention of the Senator from Idaho [Mr. BORAH] for a moment?

A resolution was adopted by the Senate at the last session of Congress for the appointment of a committee to investigate the Alien Property Custodian. In the resolution, which was adopted, there was no provision for adequate funds in order that the committee might perform the work for which the resolution provided. I was wondering if the Senator, who is chairman of the subcommittee, intends to ask for an appropriation for that purpose?

Mr. BORAH. I have not myself expected to ask for an appropriation because I was not the author of the resolution. However, I am prepared to state some facts which I think should be considered with reference to asking for the appropriation.

I am satisfied that the investigation, while I think it ought to be made, is going to be much more expensive than is generally supposed. I undertook, in connection with my colleagues on the committee, to ascertain so far as we could what it would likely cost to make the investigation. It is going to be a very expensive investigation if it amounts to anything at all. It goes back over a period of some seven or eight years and covers the administration of a vast amount of property.

It will necessitate the employment of experts and attorneys, because it will be impossible otherwise to get at the facts and to uncover the studious effort of years to conceal the waste, the extravagance, the graft, and the theft which have taken place. I have no doubt, Mr. President, that hundreds of thousands and millions of dollars have been purloined or illegally taken by those who were in a position where they ought to have responded to the public interest rather than to private interest. It is going to be a very difficult thing to uncover. It means practically the running down of hundreds of transactions, for the wrong doing has taken all kinds of forms. I am stating this in order that the Senate may act intelligently.

Secondly, Mr. President, I find that they have taken the precaution when they have settled with those who had claims in the case of some of the most atrocious offenses to take receipts in full against any malfeasance or misconduct of the

officer or against any fraudulent administration of the law, and I presume that those receipts upon any facts that we could produce likely would be valid and binding. They have compelled the claimants to put themselves in a position where they are really not to be benefited if we should uncover this matter. Notwithstanding that I do not wish to be understood as saying that the investigation should not take place, but I do wish to say that it ought to be well considered both as to expense and as to what we propose to do before we go into it.

Another thing, Mr. President. If we are simply going to make an investigation, expose the facts, and then let them molder away in the archives, we may as well save the money which might be used in that investigation. If it is the purpose of the Senate and of Congress to follow up the investigation, and, if possible, to recover the money, and to account for it to those to whom it belongs, it could be a work into which one could enter with enthusiasm; but when I consider the difficulty which we have had in getting back to those to whom the property belonged that which has already been dissipated, I am convinced that we never will turn over to them any results from this investigation. Others may feel different, but I want to start in with the feeling that we are going to gather, if possible, the fruits of the investigation.

Unless the Congress is prepared to take hold of the investigation in that spirit, so far as I am concerned, I do not care to spend time or public money on it. I feel that we ought to start in with the well-understood purpose of getting results.

Mr. COUZENS. Mr. President, I desire to ask the Senator from Idaho does not the report of the Comptroller General cover many of the facts which the Senator from Idaho proposes to investigate?

Mr. BORAH. The report of the Comptroller General will be exceedingly helpful; it will save a great deal of time, and in one sense expert effort. Of course, that report comes from the record, but it is from a record which was made up by those who did not intend that it should be vulnerable to investigation. While I think it is a most excellent report, it is only the beginning of the matter.

As an illustration, Mr. President, a case brought to my observation a few weeks ago, where a citizen of the United States in one of our Territorial possessions had his property seized; he had his papers of citizenship, but he was denied the privilege of presenting the facts, of disclosing his citizenship, and of bringing himself thoroughly within the protection of the law. So his property was simply sacrificed; he was as completely robbed as if he had been held up on the public highway.

Mr. REED of Pennsylvania. Mr. President, will the Senator from Idaho indicate when that occurred?

Mr. BORAH. I could not give the Senator the date.

Mr. REED of Pennsylvania. Was it recently?

Mr. BORAH. The offense was not recent, but the facts came to me only recently. So far as dates are concerned, they do not make any difference. Misconduct has been continuous from the beginning.

Mr. REED of Pennsylvania. Mr. President, it seems to me that, in justice to the individuals concerned, the Senator from Idaho ought to state whether the present Alien Property Custodian is guilty of any such misconduct.

Mr. BORAH. I do not know anything at all detrimental to the present Alien Property Custodian.

Mr. REED of Pennsylvania. I think, in justice to him, that ought to be stated.

Mr. BORAH. Yes.

Mr. REED of Pennsylvania. If I may also ask the Senator another question, is it not true that the report of the Comptroller General states that every cent received by the Alien Property Custodian has been properly accounted for by all of them?

Mr. BORAH. I do not remember whether he used the word "properly" or not. If he does, his report would not be accepted by me.

Mr. REED of Pennsylvania. Has the Senator from Idaho a copy of that report?

Mr. BORAH. No; I sent it back to the source from which it came.

Mr. REED of Pennsylvania. I understood the Senator had the report. It was referred to by the newspapers.

Mr. JOHNSON. Mr. President, I desire to ask the Senator from Idaho a question.

Mr. BORAH. I yield to the Senator from California.

Mr. JOHNSON. First, I wish to make an inquiry respecting the report. Last week the Senate unanimously adopted a resolution, at the instance of the Senator from Nebraska [Mr. NORRIS], as I recall, calling for a copy of the report having to do with the administration of the office of the Alien Property

Custodian. I will ask the Senator from Nebraska if I am correct in that statement?

Mr. NORRIS. Yes; the Senator from California is correct.

Mr. JOHNSON. After that resolution was passed, I read in the New York World on Sunday last an epitome of the report and the statement that the Senator from Idaho [Mr. BORAH] had received a copy of it. I am very glad that he should have received a copy, so far as that is concerned, but it strikes me that the Senate was entitled, at least before publication in the newspapers, to receive the report of this official, and that the resolution of the Senate might have been complied with prior to the publication in any newspaper; I do not care what that newspaper might be.

Mr. CURTIS. Mr. President, may I interrupt the Senator from California?

Mr. JOHNSON. Yes, sir.

Mr. CURTIS. I may state that the official report has not been made public, but is now in the hands of the Attorney General for examination, in order to ascertain whether or not, if it should be published, it might in any way affect two or three cases that are pending on the part of the Government. There was a clause in the resolution that the report was to be furnished "if not incompatible with the public interest." I may also state that the Attorney General is examining the report, and I hope it will be sent to the Senate to-day.

Mr. JOHNSON. Mr. President, I was interested in the matter, because some three or four weeks ago, at the instance of an attorney of high standing and character in the city of San Francisco, I requested a copy of the report from the proper official. He told me, and very reasonably, that he was sending that report to the President of the United States, and he did not think he was justified in releasing it. I, of course, acquiesced in what he said. I was quite astonished, therefore, to ascertain from a New York newspaper last Sunday that the report had been delivered and that there was a purported publication of what the report contained. However, that is neither here nor there, if the Senate is about to get its copy of the report in accordance with its resolution.

May I dissent from what the Senator from Idaho has said concerning the investigation. Of course, sir, a Senate investigation, I think, will neither result in the punishment of a wrongdoer nor perhaps the recovery of money that illegally has been taken. Let us assume that as a premise. Nevertheless, if—and I say "if" advisedly, because I do not speak from the facts, for I do not know them—if this office is reeking with corruption, if there has been theft, if men and women have been deprived of that which rightfully was theirs by public officials of the United States, an investigation which would disclose those facts, even though it resulted in nothing more than letting the sunlight in upon the wrong, the corruption, the chicanery, and the fraud, would be of inestimable value both to our people and to our public officials. The most that we can do, sir, after all, in the limited sphere that is ours is to let the sunlight into some of these dark places; and I would let it in, no matter who was the individual, no matter what was the subject matter of inquiry, no matter what his power or his influence or his wealth or his politics might be. Let in the light, and when we let it in, ultimately there will come a cure.

Mr. BORAH. Mr. President, it is all very well to let in the light, but I think it is our duty if we are going to spend \$50,000 or \$100,000 for this investigation—and it will not cost any less—to have an understanding that when we start we are not simply going to let in the light but are going to try to do justice to those who have been wronged by the administration of this office.

Mr. JOHNSON. Of course, if the Senator will pardon me, we will try to do justice, but that we may fail in that or that it may be obvious to some of us that there will be failure in doing equal and exact justice is no reason for stifling the investigation.

Mr. BORAH. Mr. President, I think it is a reason. I say that if we are simply going to make an investigation which will amount to nothing, that will result in nothing except spending money letting in light—and God knows we have enough now; we have had a trial which let the light into all corners of it and we know what has happened—if we are simply going to repeat that kind of proceeding, I for one do not care to indorse it. I want to feel when we go into this investigation and spend six or eight months at it that we are going through to the end and are going to take hold of the matter in such a way as to insure results to those who should be benefited by the investigation. I did not ask any assurance that results would be obtained; I simply said that I wished the Senate to feel that it should place itself back of this in-

vestigation to the end and not merely for the purpose of uncovering some facts.

Mr. JOHNSON. Mr. President, has the Senator concluded?

Mr. BORAH. I wish to say a word about the report to which reference has been made. When the Senator sees the report itself he will understand that the New York World had some idea what was in it, but it was a very meager idea; it evidently had a very insufficient account of it. Nevertheless, so far as it went it gave an indication of what was in it. The report came to me, Mr. President, in confidence. I sent it back. I felt absolutely certain that would happen which always happens in Washington—that the more secret a thing is the more certain it is that it will get out, and I did not want to be responsible for it; so I returned it.

Mr. KING. Mr. President—

Mr. BINGHAM. Mr. President, before the Senator from Idaho takes his seat will he allow me to ask him a question?

Mr. JOHNSON. Mr. President, if the Senator from Utah has the floor, will he pardon me just a sentence in response?

Mr. KING. I yield.

Mr. JOHNSON. Mr. President, I quite agree that an investigation should go clear through to the end and should endeavor to remedy the wrongs and seek to punish wrongdoers and the like, but I do not agree that we should be deferred from an investigation because somebody may think that we would not accomplish all the results that we sought to accomplish. I insist, therefore, notwithstanding my respect for the Senator who has preceded me, that, even if nothing more were accomplished than to uncover what he describes as reeking wrong and theft and robbery and fraud and chicanery in that particular office, we would have done a very meritorious thing and a beneficial act.

Mr. BORAH. That may be true, Mr. President, but I do not want to start out with the theory that we are not going to do anything except that.

Mr. JOHNSON. Nobody would start out with that theory.

Mr. BORAH. That was all I suggested in the first place—that the Senate place itself behind this matter, go through with it to the end, and prosecute it to a final conclusion, and not merely have an investigation.

Mr. JOHNSON. Of course, you would have to prosecute to a final conclusion, but to say that the final conclusion would put anybody in jail or that the final conclusion would enable somebody to recover some money—you could not for an instant predicate your investigation upon that.

Mr. BORAH. The Senator from Idaho has not assumed to do so.

Mr. JOHNSON. Very well; perhaps we are not in such disagreement as apparently it would seem, then.

Mr. KING. Mr. President, I shall test the sense of the Senate with respect to this matter by the introduction of a resolution on the first day that we meet after the holidays, calling for an adequate appropriation to conduct the investigation.

I shall do this because, first, I offered the resolution, which has been adopted, calling for the investigation. May I say that that resolution was first introduced four or five years ago. From investigations which I had made, limited though they were, of the activities of the Alien Property Custodian—and I am speaking now of the office rather than of any individual—I reached the conclusion that that office ought to be investigated, because I believed that wrongs had been done.

I was confirmed in that view when they sold property worth at least twenty or twenty-five millions of dollars for \$250,000, and cloaked their conduct under the guise of patriotism and desiring to aid the chemical industry of the United States. So I offered a resolution then, and tried to secure action by the Judiciary Committee, of which I was a member; and at every succeeding Congress I offered the same resolution, until finally it was unanimously recommended by the Judiciary Committee at the last session of Congress; and after it came to the calendar, when it was reached, it was unanimously adopted by the Senate of the United States. So I assume that the Senate expressed its wishes in respect of this matter, and I assume that the Senate will clothe the special committee, of which the chairman of the Committee on Foreign Relations is chairman, with full authority and full power and all the sinews of war so that a full, complete, and exhaustive investigation shall be made.

We must remember that we were trustees of a trust. Why, Mr. President, every man who is trustee of a trust, if he is an administrator or an executor, before he is discharged by the court must have his accounts investigated; and if he is an honest man he will not permit the court finally to discharge

him until his accounts have been audited, and he has a proper certificate of his honesty and integrity. The Government of the United States has had in its possession a large trust fund of between five hundred and seven hundred million dollars. I think we owe it to the honor of our country, we owe it to those who have been intrusted with the handling of this fund, to have a complete and exhaustive investigation, so that in the years to come it may not be said, if it is not true, that we were false to the trust; and if it be true that there have been embezzlements and peculations and wrongs it is the duty of the United States to find out who committed the wrongs, and to see that punishment is meted out to them, and to see that the cestui que trust then shall not suffer by the derelictions of the trustee.

CAMPAIGN EXPENDITURES (REPT. NO. 1197, PT. 2)

Mr. REED of Missouri. Mr. President, on behalf of the special committee appointed to investigate campaign expenditures I submit a report of those investigations, so far as completed, in the State of Pennsylvania, the State of Oregon, and the State of Washington.

In these cases, as in the Illinois case, the committee has not carried its investigations to the point of investigating the expenditures of the election itself; neither can it be said that we have in all respects concluded the investigations which might be possible touching the primary campaign. We have, however, proceeded to a point where we think an epitome of the facts so far as disclosed should be laid before the Senate.

The committee will hereafter, if agreeable to the Senate, undertake to conclude the particular labors upon which it has embarked. Whether the committee will determine to go forward and investigate the expenses of the election held on the 2d of November will depend somewhat upon its authority to make that investigation searching and thorough. That we have the right to inquire into the moneys actually expended is undoubted; but whether we have the right to inquire into the actual operations of the election, to investigate whether the expenditure of this money or any other money resulted in the perpetration of fraud, is a question of some doubt.

I desire to say that the committee in this report has not undertaken to draw conclusions touching the merits of the controversy. We have endeavored in the smallest possible space to present the salient facts, leaving the matter of deduction and conclusion entirely for the Senate.

I think the only thing in the report which could be said to be a conclusion is some comment upon the character of the testimony given by certain witnesses; and that comment is comprised, perhaps, within two short paragraphs.

The Senate may be interested to have a mere outline which will the more easily guide it in considering this document. I think for just a moment, then, I will make a statement of that character.

It will appear from the evidence that Senator PEPPER started his campaign as an individual running by himself for the United States Senate. Mr. VARE in like manner started his campaign, running for himself and by himself. Governor Pinchot also in a similar way started his campaign. Each of these gentlemen had a group of friends, some of them very prominent in the politics of the State and some not so prominent, supporting his particular candidacy. Headquarters had been established, and moneys had been collected. Then came a change in the situation which it is important for the Senate to understand if they are to understand these accounts.

Running at the same time for nomination were various men for State and county offices. Among others, there were two men of prominence running for the nomination for governor. One of these gentlemen was Mr. Fisher; the other was Mr. Beidleman; and Fisher and Beidleman, of course, had their friends and their supporters. There were other candidates with friends and supporters; so that finally a coalition was made between each of the men running for the Senate, except Governor Pinchot, and certain groups of candidates. Thereafter, the contest was between these two opposing tickets, if I may call them that, or groups of men, each of them having been formed for the purpose of bringing mutual support to the various members of the ticket, it being thought that this would aid in the general purpose of furthering the candidacy of all of the men on the respective tickets. That is to say, it was thought by Senator PEPPER's friends and advisers that a combination with Fisher and other men would promote the interests of Senator PEPPER, and that his coalition would promote the interests of Mr. Fisher and other candidates; and likewise it was believed by Mr. VARE and his advisers that a coalition with Mr. Beidleman, who was running for governor, would be of help to Mr. VARE; and, of course, Beidleman and the other

men on the ticket regarded the help of Mr. VARE as contributory to their success.

This matter of effecting these compromises and coalitions was of some difficulty at first, because some of the men who were for Mr. Beidleman were also for Senator PEPPER, and some of the men who were for Mr. Fisher preferred to support Mr. VARE.

I am not saying there is anything wrong about it, but I want the Senate to understand from what I have said, when we come to consider the sums of money that were employed, that after a certain period of time those sums went into two common funds, one known as the Pepper-Fisher fund and the other known as the Vare-Beidleman fund. That is the way I describe them at this moment for want of a better distinguishing term.

Mr. REED of Pennsylvania. There were some slight exceptions to that, were there not? My recollection is that Mr. Beidleman had a separate fund at Harrisburg.

Mr. REED of Missouri. Oh, yes; there were some slight exceptions to it, but I am speaking generally of the moneys that were reported so that the Senate may have just a general view of it.

In getting these tickets together various prominent men became important. It became important to get lined up with Mr. Grundy, who is the head of the Manufacturers' Association of Pennsylvania, and perhaps the negotiations with him would serve as an example of how these two tickets were made up.

On pages 2 and 3 of the report part of the testimony relating to Mr. Grundy and his importance appears. I would like to read it.

Concerning the influence of Mr. Grundy, the following extract from the testimony of Mr. Woods is of interest:

"Mr. WOODS. There was some friction between Mr. Grundy, who was interested in Mr. Fisher, and Senator PEPPER.

"The CHAIRMAN. Was he quite an important factor in politics?

"Mr. WOODS. He is.

"The CHAIRMAN. And he was for Fisher?

"Mr. WOODS. He was for Senator Fisher. Originally not for Senator PEPPER; but after this he joined in this consolidation.

"The CHAIRMAN. Do you know whether he had announced for any other candidate for the Senate?

"Mr. WOODS. No; I do not think he had.

"The CHAIRMAN. Your effort with him was to get him to agree to support PEPPER along with Fisher?

"Mr. WOODS. Yes; he was in favor of this consolidation.

"The CHAIRMAN. Is he what you would call a political leader in his part of the State?

"Mr. WOODS. I would say so.

"The CHAIRMAN. Would you say that he is what is generally designated as the 'boss' of his part of the State—political boss? I am trying merely now not to use an offensive term, but to distinguish it. He was a man who occupied some position of prominence whose word generally was taken as the finality?

"Mr. WOODS. I would say he was one of the leaders of the Republican Party in Pennsylvania.

"The CHAIRMAN. What part of the State was Mr. Grundy particularly employed in?

"Mr. WOODS. The eastern part. His office was in Philadelphia. I think I know he has an office in Philadelphia. He is a manufacturer.

"The CHAIRMAN. What is his business?

"Mr. WOODS. He is a textile manufacturer, and he is also president of the Pennsylvania Manufacturers Association.

"The CHAIRMAN. Was there any other important man that you got lined up?

"Mr. WOODS. No; not of that importance.

"The CHAIRMAN. Well, of any importance?

Senator LA FOLLETTE. It seems to me is rather strange you can remember Mr. Grundy's name, but you can not remember any other person's name of importance who went over on the proposition.

"Mr. WOODS. I remember Mr. Grundy's name because it was of very great importance" (pp. 83 and 84).

The committee then states:

After the emergence of this ticket the candidacy of Senator PEPPER was synonymous with that of State Senator Fisher.

The Pepper-Fisher ticket was simply a coalition to win of selfish and none too compatible elements. The argument offered to voters to line up with it is perhaps best presented by Mr. Woods:

"Mr. WOODS. My argument was that we wanted to make this a ticket proposition; that it was going to win, and that we wanted them as men who were interested in politics to go along with us.

"The CHAIRMAN. To be on the band wagon?

"Mr. WOODS. To be on the band wagon.

"The CHAIRMAN. There was not any moral ground offered?

"Mr. WOODS. No; not especially" (pp. 82 and 83).

That serves to illustrate the method by which these tickets got together. Mr. Grundy afterwards contributed approximately \$400,000, and stated that he expected to get it back, or to get a good part of it back; but he did not know from whom he was going to get it.

Accordingly the committee has entertained the view that when these two coalitions were formed, they were formed for mutual assistance, and that Fisher added to the strength of Senator PEPPER, and that Senator PEPPER added to the strength of Governor Fisher; and, on the other hand, VARE's strength added to the strength of Mr. Beidleman, and Mr. Beidleman's strength contributed to the strength of Mr. VARE, in these combinations, and that the two tickets being thus made up, all of the money that was spent for the advancement of either of those tickets could properly be considered at least as affecting the amounts that went to the benefit of either senatorial candidate.

Mr. REED of Pennsylvania. Mr. President, not to appear to contradict anything the Senator is saying, but because it is interesting in another connection, may I ask him whether there is any evidence to show that Mr. Woods had anything to do with the collection or the expenditure of money?

Mr. REED of Missouri. My recollection is that he did not, that the evidence does not so show. I was introducing this to show the method of combination. His business seemed to be to get this manufacturer, Grundy, who was not for Senator PEPPER but was for Fisher, to agree to support Senator PEPPER as a part of the general scheme, and he succeeded in that, and afterwards Mr. Grundy became the financial—I should say the financial "angel" of the enterprise, being the largest contributor.

I am not trying to drag anybody into this, but I am making this statement so that the Senate will understand why, at least in my view, every dollar that was collected and expended for the Vare-Beidleman combination ticket is chargeable as moneys that went to the promotion of VARE's ambition, and that a similar statement would be true of the Pepper-Fisher combination.

I make this statement somewhat in detail because there has been an effort, not only in Pennsylvania, but in Illinois, to claim that as long as the money got into the hands of the treasurer, and he began to expend it for a general ticket, therefore that money should not be charged to the candidate for the Senate, whereas it is my opinion, at least, that the money should be all the more so charged, because these combinations were made for the purpose of mutual help, and the man running for the Senate was stronger with the combination, and had less need of money with the combination, than if he had been running alone.

Mr. President, I am sorry to have taken this much of the Senate's time. The report is here, and the committee will endeavor, within the limits of the present resolution, to conclude its work at the earliest possible day, but my present judgment is that the committee would hesitate to go into the question of the actual conduct of the last election under the limits of its authority.

Mr. NORRIS. Mr. President, I would like to ask the Senator a question. As I understand it, during the course of the hearings held by the committee there were two or three instances where witnesses refused to testify. Can the Senator give the Senate any idea as to whether the committee intends to proceed against those witnesses?

Mr. REED of Missouri. Those cases of recalcitrancy, with the exception of the testimony of Mr. Thomas Cunningham, which is set forth in the present report, will all be reported in a separate document, with the evidence set out, so that it will be before the Senate in a concrete form, prepared for its action. That report is now being prepared. It takes some time to go through this enormous record, and the clerk of the committee is compiling the evidence as fast as he can.

#### PERSONAL PRIVILEGE—NOMINATION OF CYRUS E. WOODS

Mr. REED of Pennsylvania. Mr. President, if I may interject a word at this point; I do not believe in discussing nominations to office out of executive session, but I am moved to say a word about the nomination of Mr. Woods for the Interstate Commerce Commission because of the references

to him in this report which has just been filed, and because of an editorial which I find in one of this morning's papers—

Mr. BORAH. Mr. President—

Mr. REED of Pennsylvania. Will the Senator permit the sentence to be finished?

Mr. BORAH. Yes.

Mr. REED of Pennsylvania. And all I want to do now is to call the Senate's attention to some highly unfair and false statements in the editorial and to ask the Senate to keep an open mind on this question. I am not pleading the case; I simply want to try to counteract now the effect of this poisonous and false editorial and to ask the Senate to wait for proof.

Mr. McKELLAR. In what paper did the editorial appear?

Mr. REED of Pennsylvania. It was the leading editorial in the New York World this morning.

Mr. REED of Missouri. Let me say that I do not think that in anything I have read, or from anything I have read, the Senate would have understood that Mr. Woods, mentioned in the report simply as "Mr. Woods," was the same man who was named for this office. I want the Senator to acquit me of having brought any question here that has anything to do with Mr. Woods's appointment.

Mr. REED of Pennsylvania. I am anxious to do that.

Mr. MOSES. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. REED of Pennsylvania. Let us finish this, please. We have had all the other side now. I do not want five minutes.

Mr. BORAH. All I want to suggest to the Senator is that, if he is going ahead to discuss it, will not the Senator, when the time comes, move for an open session to consider this appointment?

Mr. MOSES. If this is going on, I shall have to demand the regular order. We will not have a morning hour again for 10 days, and I am not going to see the time used up in a debate on a matter that is not yet before the Senate.

Mr. BORAH. I have no desire to prevent the Senator from making his statement. I simply think it ought to be understood that we are going to take the entire matter into the open.

Mr. REED of Pennsylvania. I am not ready to make that agreement, but I am not ready to oppose it, either.

Mr. FESS. Mr. President, will the Senator yield?

Mr. REED of Pennsylvania. I yield.

Mr. FESS. The committee has set a date for hearings, at which a record will be made.

Mr. REED of Pennsylvania. All I ask is that the Senate will suspend its judgment and will not allow its impressions to be formed on the basis of such poisonous and unfair and utterly false statements as occur in the leading editorial in this morning's New York World.

As a single illustration, the World—

Mr. COUZENS. Mr. President, I think it is unfair—

Mr. MOSES. We will settle it. I demand the regular order.

Mr. COUZENS. I think it is unfair that the Senator should defend this appointee without any opportunity for reply, unless we are going to have a hearing in open session.

The VICE PRESIDENT. The regular order has been demanded. Concurrent and other resolutions are in order.

Mr. MOSES. Under that head I send to the desk a resolution.

#### REVOLUTIONARY MOVEMENT IN NICARAGUA

The resolution (S. Res. 305) submitted by Mr. MOSES was read and referred to the Committee on Foreign Relations, as follows:

Whereas the Government of the United States, on November 17, 1926, recognized President Adolfo Diaz as the constitutional President of Nicaragua; and

Whereas the aforesaid President of Nicaragua immediately upon his recognition called attention "to Mexican aid of revolution and armed intervention in Nicaraguan political affairs" and applied to the Department of State, soliciting its support "with a view to reaching a solution in the present crisis and avoiding further hostilities and invasion on the part of the Government of Mexico," and stated, "I desire to say to you, at the same time, that whatever may be the means chosen by the Department of State they will meet with the approval of my absolute confidence in the high spirit of justice of the Government of the United States; and

Whereas the Department of State, in response to this appeal issued a public warning against "interference from outside sources" in Nicaraguan affairs as a cause of concern to every friend of stability in Central America; and

Whereas a revolutionary faction in Nicaragua has proclaimed the former vice president, Juan B. Sacasa, as constitutional President of Nicaragua, and he has been recognized as such by the Government of Mexico; and

Whereas it has been reported in the public press from authentic sources that the Government of Mexico is aiding and abetting the revolutionary movement in Nicaragua against the recognized Diaz government, and that military supplies and forces from Mexico are being landed in Nicaragua in opposition to the recognized government there; and

Whereas it is reported that the American legation in Nicaragua has requested or suggested that Gen. Emiliano Chamorro, the popular hero and leader of the Conservative Party, who was in command of the army under President Diaz, should withdraw from his command and leave the country, which he has done, because the Department of State has announced that "only by cooperation between all factions can peace and tranquillity be restored to that country now so unhappily torn by revolution"; and

Whereas unless the United States effectively supports President Diaz the Government of Nicaragua may be turned over to the Government of Mexico, because, as reported by the Associated Press under date of December 18, President Diaz has announced, "I accepted the Presidency of Nicaragua expecting that the United States would aid Nicaragua to restore order and secure peace. The day after my inauguration I therefore appealed to the Government of the United States, soliciting its support for the solution of the present crisis and to avoid further hostilities and invasion on the part of Mexico. Since then two expeditions have come to the shores of Nicaragua. Arms, munitions, and personnel from Mexico have been landed and the Liberals sent to set up a government. I am confronted with the question, if the aid which I expected is not received, whether it will not be better, in order to save lives and the industries of Nicaragua, to deal with President Calles direct now. I can not believe, however, that the United States Government will stand aloof and allow Mexico to overthrow a Nicaraguan government recognized by the United States and recognized under the conditions which existed. The Nicaraguan Government can quite easily dominate any revolution by Nicaraguan Liberals alone, knowing their inferiority in numbers and resources. But a Nicaraguan Government supported by 90 per cent of the people could not permanently withstand a revolution made by 10 per cent aided by arms, money, supplies, and military personnel furnished by the Mexican Government": Now, therefore, be it

Resolved, That the President be requested to transmit to the Senate, if not incompatible with the public interest, copies of all correspondence, notes, exchanges, and communications relating to the matters above mentioned which have passed, directly or indirectly, between the Secretary of State or the American legation at Managua, Nicaragua, and the recognized Government of Nicaragua, and between the American legation at Managua and Gen. Emiliano Chamorro since he withdrew from the Presidency of Nicaragua, and also all information in the possession of the Department of State showing whether or not, and to what extent, Mexico has intervened in political affairs in Nicaragua and given aid and supplies to the revolutionists in Nicaragua against the recognized Diaz government, and also a statement of what action has been taken and what further action can be appropriately taken by the Department of State in response to the request of the recognized Government of Nicaragua that the Government of the United States aid Nicaragua to restore order and secure peace.

#### PERSONAL PRIVILEGE—NOMINATION OF CYRUS E. WOODS

Mr. REED of Missouri. Mr. President, my attention was distracted. Did the Senate refuse to allow Senator REED of Pennsylvania to make a statement?

Mr. MOSES. No; the Senator had finished his statement.

Mr. REED of Pennsylvania. I had not finished my statement, Mr. President, and I now rise to a matter of personal privilege.

Mr. NORRIS. Mr. President, I ask unanimous consent that the Senator from Pennsylvania be allowed to make his statement.

Mr. DILL. Mr. President, before that consent is granted, if this nomination is to be discussed in open session, let us have it understood now that all the discussion of the nomination shall be in open session. I am opposed to secret sessions, anyhow, and if we are going to take this nomination up and discuss it at this time in open session, I insist that it shall be a condition of the unanimous consent that the nomination shall be discussed in open session at all times.

Mr. HEFLIN. Mr. President, I understood that the Senator from Pennsylvania asked for five minutes in which to make a statement and I think he ought to be allowed to have it.

Mr. BRUCE. Mr. President, I hope the Senator will be allowed that privilege.

Mr. DILL. I shall object except on condition that all discussion of this nomination shall be in open executive session.

Mr. JOHNSON. Mr. President, I hope the Senator from Washington will withdraw his objection. Here is a nomination that is pending. It will not be acted upon until after the Christmas recess. That is obvious. To-day appears an article which the Senator from Pennsylvania says does a gross in-

justice. It is proposed to leave the period from now until the nomination is acted upon with that gross injustice, as he asserts, done. He wants to supply the antidote. I think it is only just that he should. I hope the objection will be withdrawn.

Mr. DILL. If this question is to be discussed in open session I am willing that the Senator from Pennsylvania shall talk all he wants to, but I object to discussion being had here in public in defense of this man, and then when the question comes before the Senate that the doors shall be closed.

Mr. REED of Pennsylvania. Mr. President, I rise to a question of personal privilege and I intend to discuss that editorial. I am not discussing confirmations. I am not discussing executive business. I am going to persist in my point until I get it. If Senators want to finish the morning business that is the way to do it.

The VICE PRESIDENT. The Senator from Pennsylvania rises to a question of personal privilege.

Mr. LENROOT. Mr. President, I think the Senator should state the point of personal privilege. We do not know anything about whether it is a matter of personal privilege or not.

Mr. REED of Pennsylvania. I am not permitted even to complete a single sentence.

Mr. DILL. I simply object to a discussion of Mr. Woods's nomination in open session.

Mr. REED of Pennsylvania. My name is mentioned in the leading article of this morning's New York World as responsible for a nomination which has recently come to the Senate, and the statement is made that I have threatened to run amuck if Pennsylvania is not given more places on Federal commissions. The statement is made that the nominee should be rejected because, among other things, I am his sponsor. I do not mind what they say about me—not in the least. I mind very much, however, that every person with whom I happen to be aligned is convicted in advance without any opportunity to present his side of the case and without any evidence to sustain the charges which are made.

The poison that taints the pen which writes such editorials as that, demanding the highest and most meticulous virtue from every public man, but knifing defenseless men behind their backs on false charges where they have no opportunity to reply is absolutely indefensible.

This matter is coming on for a hearing before the Committee on Interstate Commerce on January 6, and every statement in that editorial will be proven to be wholly false. I ask the Senate unless their dislike of me and my work is as great as that of the World, in which case they will not be able to help it, to suspend judgment on such charges as these until there is an opportunity to inquire into the truth or falsity of them. For example, it is said here that I have tried to pack this commission in order to influence the judgment of a pending case. Mr. President, if I did that, I would not deserve to stay one day longer in the public service, and the man who would accept an appointment with that purpose ought to be turned down by the Senate, and I do not think he would ever be named by the President.

This man is one of the most distinguished living public servants of the United States. He served his country bravely and well in the trying times of the Tokyo earthquake, for example. The idea that he and I would conspire to pack a court for the decision of a case that is now almost completely tried is unthinkable. I do not believe for one moment that he would sit in that case. I know that he would not undertake to decide in advance a case in which he had not read the evidence or heard the argument. I do not believe for a moment that if he were appointed he would sit or vote in that case at all, and yet this editorial charges that he and I—

Mr. DILL. Mr. President—

Mr. REED of Pennsylvania. Will the Senator allow me to finish my sentence?

Mr. DILL. I rise to a point of order.

Mr. REED of Pennsylvania. I refuse to yield.

Mr. DILL. Mr. President—

Mr. REED of Pennsylvania. I decline to yield.

Mr. DILL. The Senator from Pennsylvania is not discussing a question of personal privilege, but he is discussing the merits of a nominee, and to that I object.

Mr. REED of Pennsylvania. I decline to yield. I say that the charge that this man and I conspired to do any such dastardly thing as that is wholly and unqualifiedly false. I ask the Senate, then, to suspend its judgment on this case and on me, if it will, until the proofs are before it.

Mr. BORAH. Mr. President, I think the Senator from Pennsylvania was within his rights when he made the statement which he has made, but it would be a signal injustice to the controversy now at hand if the balance of the discussion

should be in secret session. I sincerely hope, when the time comes to take up the matter, that the Senator from Pennsylvania will continue to insist upon discussing the matter in open session.

#### EXECUTIVE NOMINATIONS REPORTED

Mr. WADSWORTH. Mr. President, in executive session, acting on behalf of the Committee on Military Affairs, I reported a number of nominations for the Executive Calendar. Through an error they were not printed upon the Executive Calendar and therefore at the next succeeding executive session the nominations were not acted upon. I ask unanimous consent—

Mr. NORRIS. Mr. President, will not the Senator let us finish morning business?

Mr. WADSWORTH. I merely want to file the report; that is all.

Mr. NORRIS. Very well.

Mr. WADSWORTH. I submit the report now and ask unanimous consent as in open executive session to do so in order that it may go to the Executive Calendar. This has been done on a previous occasion.

The VICE PRESIDENT. Without objection, it is so ordered.

#### PENNSYLVANIA PRIMARY-ELECTION EXPENDITURES

The VICE PRESIDENT. Resolutions coming over from the previous day are in order. The clerk will report the first one.

The LEGISLATIVE CLERK. A resolution (S. Res. 302) submitted by Mr. BLEASE on the 18th instant, as follows:

*Resolved*, That the Reed investigating committee be, and is hereby, requested to file with the Senate a partial report on the Pennsylvania primary-election expenditures of Senator PEPPER, the amount spent, and sources from which it came, how expended, etc.

Mr. MOSES. Mr. President, the author of the resolution, the Senator from South Carolina [Mr. BLEASE], is not present. May it not go to the table without prejudice?

Mr. NORRIS. I ask unanimous consent that the resolution submitted by the Senator from South Carolina may go over without prejudice. He is not here, and I do not know what he wants to do about it.

The VICE PRESIDENT. Without objection, the resolution will go over without prejudice.

Mr. WALSH of Montana. Mr. President, in view of the submission of the report on the primary in the State of Pennsylvania, I ask unanimous consent that there be printed in the Record at this point an address made by the Senator from Nebraska [Mr. NORRIS] on that subject, which appeared in the Philadelphia Record.

The VICE PRESIDENT. Without objection, it is so ordered. The address is as follows:

[From the Philadelphia Record, Sunday, October 17, 1926]

SENATOR NORRIS BEGINS BATTLE TO THWART AMBITION OF VARE TO SIT IN UNITED STATES SENATE—TEXT OF SENATOR NORRIS'S SPEECH IN FULL

The coming senatorial election in Pennsylvania is the most important that has ever been held in the Keystone State since the Declaration of Independence. All policies of government sink into insignificance when the perpetuity of our Government institutions is at stake.

No free government can exist as long as its citizens are coerced and prevented from exercising at the ballot box their free and untrammelled will. Democracy can not endure if the citizen is either denied the right of suffrage or coerced into the wrongful use of it. When important governmental positions are placed upon the auction block and sold, like the merchant disposes of his wares across the counter, then the end of free government is in sight. When seats in the United States Senate are sold for cash, then it is only a question of time—a comparatively short time—until our Government will be ruled either by the man in the saddle or by the mob.

The corner stone of our liberties is the theory that every citizen shall be free and independent; that he shall be permitted to cast his ballot as his conscience dictates, and that such ballot will be counted as cast. When you take away this right you remove the corner stone from the superstructure of our liberties, and our governmental temple totters.

It was in Pennsylvania where the spirit of human liberty had its birth on this continent. It was the sons of the great Keystone State who did more than any other group of citizens toward the original establishment of our governmental superstructure, based upon the sacred theory of human liberty; and on that hallowed soil comes now the thrust of human greed aimed at the very vitals of the Nation.

Pennsylvania recently had a primary election in which about \$3,000,000 was openly expended by special interests having a direct financial interest in the result of the election. A seat in the United States Senate was placed upon the auction block, and every patriotic citizen of the Union was shocked beyond expression at the disgraceful and shameful methods used to nominate a United States Senator.

I have no personal ill will against any of the candidates. I have no feeling of animosity against any of those who participated in the struggle. I have no grievance of my own to redress. I am moved only by a sense of duty to come from my home in the great West to sound a note of warning to my patriotic fellow citizens of Pennsylvania. I am met at the start with the criticism from some of your leading citizens that no outsider has any right to interfere or to attempt to interfere in a Pennsylvania election. I am called an intruder and warned by some of the leading officials of your State that it is none of my business and none of the business of the balance of the country how Pennsylvania selects her Senators.

In the face of this criticism I say to Pennsylvania frankly that I have no apology to make for my procedure here. I come on a mission of friendship. I come in answer to a patriotic wish, dear to the hearts of all liberty-loving citizens, for the preservation of human liberty and a continuation, free and unsullied, of the Government established on the soil of this great State, which has been the model of freedom before the civilized world for more than 100 years.

I come because, as a citizen of our great country, I want to help preserve the rights established by the victory at Yorktown, under Washington. I come to remind you that a United States Senator legislates for all the people and not for Pennsylvania alone. Although we of the West have no right to vote here, we are equally interested with you in the preservation of our Federal Government and in the perpetuity of its principles obtained by the sacrifice of our forefathers in Revolutionary days. I come on a mission of brotherly love, feeling that I am equally interested with you in good government and in the happiness and the welfare of all our people.

And are your leaders logical in an attempt to debar me from the privilege of reasoning with you upon the settlement, not of State issues, not of local questions, but upon the perpetuity and a continuation, free and unsullied, of the Government founded by our fathers upon Pennsylvania soil?

No State in the Union has had more to do, either with the establishment of our Government or with its protection and its defense after once established, than Pennsylvania. Your sons enlisted by the hundreds of thousands when from 1861 to 1865 the life of our Government was in danger and our flag imperiled. In that great struggle for the life of our Government the enemy penetrated into the borders of your great State. The greatest battle of the Civil War was fought at Gettysburg. It was there that the successful march of the enemy into your State was ended. It was there that the greatest defeat of the struggle was administered to the hosts of disunion.

And was it administered by Pennsylvania alone? Did Pennsylvania object then to the soldiers of the great West coming into this State and helping to drive the enemy beyond your borders? Do you forget that nearly 100,000 patriotic citizens from other States stood shoulder to shoulder with the sons of Pennsylvania on that occasion and did their share, nobly and well, in that great battle? Was there any cry then that these soldiers were "carpetbaggers," and that Pennsylvania resented their presence?

I was only a child then, but in that great civil strife for the defense of our flag my only brother breathed out his life upon the battle field where he, with many loyal sons of Pennsylvania, gave his last sacrifice for the perpetuity of the Government that I am defending now.

That was a struggle with the bayonet and with the cannon. We are now engaged in a struggle confined, to a great extent, within the borders of Pennsylvania that is of equal importance. This is to be decided, it is true, by the ballot rather than by the sword; but the same principle of human liberty is involved, and the honor of our flag is likewise at stake.

All honest men must admit, if through the manipulation of machine politics and political bosses, by the use of money, the purchase of votes, our elections are controlled, the result is the same in the end as though it were done by military force at the point of the bayonet. Self-government depends upon the free and untrammelled exercise of the elective franchise by its citizens. If senatorial offices are bought and sold, if the election is corrupt, either by the use of money or any other illegal means of coercion, the result is the same as though our Government were overthrown by military force.

Every republican form of democracy is founded upon the right of the free exercise of citizenship in the casting of the ballot. If this is destroyed or taken away, whatever be the means, the government fails. Bolshevism follows and monarchy is in sight. There can be no dispute of this assertion. No man will undertake to say that our Government can live if offices like seats in the Senate of the United States are bought and sold like chattels.

It follows, as might be expected, that the Government must fail because the very fundamental principle of its establishment is violated and taken away. Your liberty and my liberty is at stake, and it matters not whether you are a resident of Pennsylvania or Nebraska. You are equally interested in the sale of a senatorial seat, regardless of the State from which the Senator comes.

#### PRIMARY VITALLY IMPORTANT

A primary election is just as important as a general election. As a general rule, it is more important. This is particularly true in Pennsylvania, where under any ordinary circumstances no one but a Republican can be elected to the United States Senate. If the candidates of all parties are placed in nomination by illegal and corrupt use of money, then the citizen has only a choice between evils. He is deprived of the right of the expression of his choice at the ballot box as fully and as completely as though he were prohibited from voting by constitutional provision.

Those who criticize me for coming into Pennsylvania on this occasion, in effect, say to the people of the Nation, "It is none of your business how corrupt our elections are. If we desire to place the senatorial toga upon the auction block, it is our business alone, and we will not permit anyone from the outside even to call the attention of our citizens to the corruption that took place in the recent primary." This criticism does not deny the corruption. It does not deny the use of immense quantities of money. It simply says to the Nation, "It is our business; what are you going to do about it?"

If the millionaires of Pennsylvania shall establish their right to name Senators to make laws for all the people, then the millionaires of other States, using Pennsylvania as a precedent, will practice the same procedure elsewhere. It must be admitted, it seems to me, by every Pennsylvanian, that if the methods followed in your recent primary become general over the country, then the end of our Government—as Franklin and Washington and Jefferson conceived it—is at hand.

#### CLAIMS RIGHT TO SPEAK

The Senate legislates for all the people. Have we not, therefore, a right to come into Pennsylvania and to call the citizens' attention to the fact that we are as much interested in the election of a Senator from Pennsylvania as are yourselves? We have to live, as you have to live, under laws enacted by Senators regardless of the States from which they come. And have we not a right, therefore, to say to Pennsylvania that in our judgment at least it is your duty to elect a Senator who will vote his conscience rather than to follow the dictates of the corruptionists who placed him in nomination?

The total salary of the Senator to be elected at the coming election in Pennsylvania, for a six-year term, will be \$60,000. Does any man in his right mind believe that those who are willing to expend millions to gain a seat in the Senate, do not expect a return for the money they have thus invested? If the money were spent by the candidate himself it might be said and there might be some reason for its truth, that he spent the money simply for the honor that would come to him as a Senator. But this money is not spent by the person nominated. It has been spent by contributors who are interested in national legislation—men who have waxed wealthy and have made their millions by national legislation favorable to their special interests.

Does anyone believe that these men care anything about the honor attached to the office? They are considering it in a cold, businesslike manner. They consider the money spent as an investment from which they expect to get returns, not only returns that will pay a reasonable interest on the investment, but will return the principal many times over before the term of the Senator has expired.

#### AGAINST FREE GOVERNMENT

Can such conduct be harmonized with the idea of a free government? Can you in Pennsylvania clear your own consciences when you submit to such domination? Are you willing that this grand old State, which has had so much to do with the origin and the perpetuity of the Union, shall now take the first step that means its certain destruction?

We outside of Pennsylvania have the same interests that you have. We are moved by the same patriotic feelings that have moved you and that moved our forefathers. We, like the great bulk of your citizenship, are unselfish in our desire that our National Government shall function according to the original conception of Washington and his followers and shall square with the ideas of Lincoln, who later preserved the Republic. Anxiety as to the result is shared by all the patriotic citizens of our entire country, but the responsibility for the result rests entirely upon Pennsylvania.

No one can successfully defend the expenditure of millions of money where a public office is involved. Those who were guilty of the corruption never intended that the people should know, and as a matter of fact, the public does not yet know all. While the investigation showed that about \$3,000,000 was spent in the recent primary, every student of the subject knows that probably less than one-half of the expenditure was accounted for.

The amount involved simply staggers the imagination of the ordinary citizen, but it likewise calls to the attention of the country the wonderful importance of the office. If special interests can afford to pay this enormous price for one seat, how much are they willing to pay for enough seats for a voting majority in the Senate, and would they spend this much money for one seat if they did not expect to buy other seats?

## NATION WATCHING STATE

The attention of the country is now focused on Pennsylvania, and it is looking at Pennsylvania in no partisan light. Partisanship disappears when a question of patriotism arises. The cry of party is cast aside by the patriot when he sees danger lurking in the distance. The investigation of the senatorial committee has disclosed only a part of the corruption. It has given the country an insight of the wonderful power of money handled by those who desire to control our Government with money.

But the cry now in Pennsylvania by the machine politicians is: "Vote the ticket straight, yellow dog and all." Why is a question where human liberty is at stake; where the life of our Government is endangered; where corruption in the party is rampant; answered with the cry: "Vote your ticket straight?" Corruption is not denied. The illegal use of money is winked at with some ludicrous attempt to explain it away, and the party machine, guilty of taking away the rights of the citizen, is crying out to the same citizen: "Vote the ticket straight, regardless of results."

This same machine has corrupted the electorate; the same machine that invests its money in a primary campaign as a broker invests it in bonds and stocks with a gambler's chance of making millions of money—this machine now cries out aloud to the citizen of Pennsylvania, whose right it has taken away: "Vote the ticket straight."

After it has corrupted the party, after by its manipulations it has trampled underneath with ruthless cruelty the rights of Pennsylvania citizens, this machine now demands of the same citizen whose liberty it has curtailed that its acts shall be validated and that its corrupt practices shall receive the approval of the men and women whose political rights it has practically destroyed.

Why do liberty-loving people permit the party label to lead them into paths where in their business or their social relations they would never enter? Why should the party cry be so alluring that it would induce the patriotic citizen to do things he would never think of doing outside of the arena of politics? And what, after all, is a party? It is nothing more than an instrumentality of government. Is there anything sacred about it?

If it becomes corrupt, must we still follow it because it bears the same name that we loved in contests that have gone before? Is there any different principle involved in any matter of business or social or family relations? If we desire to continue free and to perpetuate our Government under the Constitution, is our governmental vision so narrow that we will follow the party label when we can see plainly it is leading to the destruction of our liberties?

In the immortal declaration our forefathers declared that the object of government was "life, liberty, and the pursuit of happiness." This declaration has become a landmark of human progress. It is hailed in all the civilized world to-day as the greatest step ever taken toward human freedom and the establishment of just governments over the face of the earth. The same declaration said that to preserve these rights, governments are established among men, and we, in later years to perpetuate the Government and carry it on, have formed political parties.

Whenever the party takes a step that leads in the opposite direction, against the Government that was formed for the happiness of the people, if we are true patriots, we will administer without hesitation a rebuke to the men or machines that have led the party into such a disgraceful position. Whenever in the judgment of the citizen the candidates of his party are nominated by corruption or fraud, it becomes the citizen's duty to administer a rebuke, and this can only be done by defeating the candidates that are thus illegally and corruptly placed upon the party ticket.

## REAL ISSUE THIS YEAR

That is the issue now before Pennsylvania, and all other issues disappear from sight. It is a fundamental question. It bears directly upon the cornerstone of government. The tariff, the banking question, the financial question, the temperance question, all fade into insignificance. I am speaking as a Republican. I want to speak particularly to the Republicans of Pennsylvania.

The issue involved is more important than any other party question that has ever arisen; but if you happen to be a party man, if you are imbued with the idea in a superlative degree that you must always stand by your party and always defend it, then let me appeal to you on that ground and on that ground alone. If you are honest and patriotic, and I assume that you are, you are anxious to purify your party.

You are anxious, with me, that our party should stand for the perpetuity of our Government; for the prevention of mob rule and Bolshevism. You are anxious to put your party above reproach and place it on a high moral standard. You can not do this by giving your sanction and approval to the fraud and corruption that has taken place in your party primary.

When something has gone wrong and corruptionists have gotten control of the party machinery, and illegally manipulated it so as to make it disgraceful in the eye of the Nation, a stench in the nostrils of all liberty-loving people everywhere, the power and responsibility

rests upon you to purify it, to correct its wrongs, to drive the money changers from the temple, and to place your party upon that standard of high morality where you can honestly defend it in the eyes of the world.

## TIME TO REBUKE BOSSES

Can you do this by obeying the command of the masters who have been guilty of the corruption? Can you accomplish this result by electing the man whom they have thus corruptly placed upon the ticket? If you are moved only by love of party, then you must rebuke the party management when they have been guilty of such conduct. What better rebuke can you give to the political bosses of this breed than by refusing to elect men that the machine has thus corruptly nominated for office? If you want to purify your party, if you want to place it in a high moral attitude before the people of the country, where it will command the respect of all honest men, then you must rebuke its leaders whenever they have thus violated the fundamental principles of common decency and justice.

Thus, if you are moved only by a desire to help your party, you should join with patriotic citizens, whether enrolled as Republicans or not, to punish those who have been guilty of making your party the corrupt nightmare of honest citizens. Of course, you know that these same machine leaders never support the ticket when for any reason their interests lie elsewhere.

The party cry has no allurements for them when their financial interests would lead them into another party. They are asking you to do that which they refuse to do when it is to their interest to do otherwise. Party loyalty to them is nothing and means nothing; but when they have corruptly controlled the convention or the primary, they then cry "party loyalty" and ask you to keep up the enthusiasm and to do the shouting while behind the scenes they are manipulating the strings that will bring them rich financial reward.

## CRY WORKS ONLY ONE WAY

You would not pursue such a course in business. You would not hesitate if you were a member of a board of directors of a corporation to vote against the selection of a president if you believed him to be incompetent or dishonest. You would not hesitate to criticize or even to punish those you love most in your own family if they have done wrong. If your own child makes a misstep, instead of backing him up in it, you criticize him, you correct him, you punish him perhaps, all because you love him and because you want to help him. If you apply the same rule to your party—and there is no reason why you should not—you will rebuke the party you love whenever you see it going wrong.

As I have said, this cry of party regularity as a rule, only works one way, and these same leaders refuse to follow it whenever it is to their interest to disobey. Let us look backward just a few years in the history of our great party, to what happened in Iowa about two years ago, where a seat in the United States Senate was involved. Mr. Brookhart had received the Republican nomination for Senator at a state-wide primary. There was no question about the regularity or the honesty of his nomination. It was conceded in that case and admitted by the party leaders, but for reasons satisfactory to themselves these same party leaders denounced Mr. Brookhart, the Republican nominee.

They went before the people of Iowa in the general election and demanded that Republicans should vote for the Democratic candidate for Senator. They spread their literature over the State in the name of the Republican Party and boldly proclaimed their leadership of that party. The Republican nominee in Iowa meant nothing to the machine when the nominee was one whom they knew they could not control. But that was not all.

## TRIED TO OUST BROOKHART

After the election was over and the Republican nominee had been elected and had received the certificate of the election, they still kept up the fight. In the name of the Republican State committee of Iowa, and acting as officers of that committee, they came to Washington and protested before a committee of the Senate against the seating of Mr. Brookhart. They did not deny either his nomination or his election, but they claimed he was not, according to their idea, a good Republican and should, therefore, not be seated.

They even asked the Senate of the United States to put him out regardless of the fact that he had been elected, simply because his brand of politics did not suit them. There were those, I frankly concede, who believed Senator Brookhart had not been elected, and I am not finding fault with or criticizing anyone, either in the Senate or out of it, who honestly believed that the Democratic nominee had been elected, for urging the seating of the Democratic candidate. But in the main that was not the argument that was used in Washington.

Regardless of evidence, regardless of the fact that Senator Brookhart, in what was conceded to be a fair and honest canvass of the vote, had received the certificate of election, these so-called self-alleged and self-appointed Republican leaders demanded that he be thrown out. When the contest over the Iowa Senatorship was pending in the Senate the Assistant Secretary of War, with all the influence behind him of a Republican President and a Republican administration,

camped in the corridors of the Capitol, buttonholing Senators and trying to induce them to vote against the seating of Brookhart. And in that contest even the chairman of the Republican National Committee, himself a Member of the Senate, threw the power of his great political influence in favor of these alleged Republicans who were fighting the regular Republican nominee.

#### CAN HELP OWN PARTY BEST

I mention these instances, not so much in criticism of the conduct of the men who indulged in this kind of debauchery, as to show you that the men in this campaign in Pennsylvania who are demanding that party men shall vote the party ticket are not conscientious in their conduct, are not practicing what they preach, but are trying to lead you to travel a road they themselves would not travel under the same circumstances. So, my Republican brother, if you want to help the Republican Party, you will never have a better opportunity than to vote against the Republican nominee for United States Senator whom the party machine has thus corruptly placed upon your ticket.

They are demanding regularity of you simply to get approval of their corrupt barter. If you want to purify your party and place it upon a high standard of morality before the people of the country, where it will be entitled to respect and confidence, you can not pursue a better course to accomplish it than to defeat the Republican nominee for United States Senator.

It is very fortunate that the people of Pennsylvania have a clear and easy way to rebuke the methods used by the Republican machine in the recent primary. The Democratic nominee for Senator in Pennsylvania is free from all the condemnation and censure surrounding the candidate of our party. He is a man of national reputation and stands before the country without a blemish. For many years he made a remarkable record by his service in the House of Representatives. He has never stood for corruption or for party contamination. He has always represented the highest ideal of American citizenship. His name is not tarnished with any of the machine methods that were used in the recent Pennsylvania primary in the nomination of a Republican candidate. He was the first Secretary of Labor, and in his management of that great office he gave to the country an administration that was eminently satisfactory and efficient.

#### FOUGHT BECAUSE DEMOCRAT

In this campaign there will be no criticism against him as a man, a statesman, or as a citizen. The only cry that will be made is that he is a Democrat. If this were a campaign for school director, for a judgeship, for a school superintendent, with the records of these two men before the people, there would be no hesitation on behalf of Republicans in voting for Mr. Wilson, and the opportunity is now presented for the Republicans not only to purify their own party but to do it by placing a man in office who is above reproach.

There is only one cry that will be used or that can be used to prevent Republicans from voting for Mr. Wilson, and that is the appeal to narrow, blind, and bigoted partisanship. Republicans are asked to put party above country, even though it violates the conscience of the patriotic citizen. And are Pennsylvania Republicans going to heed this cry of a corrupt machine when it conflicts with the duty they owe to their country?

Are you going to say to the Nation that party regularity stands higher than the life and preservation of our liberties and the principles that underlie free government? Are you going to burden the patriotic citizens of the balance of the Nation by demanding that they shall pay the investment of those who are attempting to buy with money an important Federal office? In the face of the outraged citizenship of the whole Nation, are you going to carry out the partisan mandate of a corrupt political machine?

#### KILL TWO BIRDS AT ONCE

It is shocking to the patriotic consciences of all liberty-loving people everywhere that such means as obtained in the recent Pennsylvania primary could possibly succeed; but it is worse still to think for a moment that the patriotic people of Pennsylvania are going to put the stamp of their approval upon such conduct by carrying out this party mandate in the coming election. The election of Mr. Wilson would not only put a good man in the Senate from Pennsylvania but it would be the most severe rebuke that could possibly be administered to the corrupt Republican machine.

And so I say to my fellow Republicans that you will be able in the coming election to kill two birds with one stone if you vote for Mr. Wilson. You will not only put a patriot in the office but you will purify your own party by such action. And what can you expect our party to become unless we take some step such as I have suggested?

If we follow blindly and obey these Republican leaders in this corrupt method, our party will continually grow worse and worse until in the eyes of the Nation it will be a stumblingblock of corruption, a mockery of chicanery, a stench in the nostrils of patriots everywhere, and with such a record approved by Pennsylvania people our party will meet with certain and deserved defeat that will be nation-wide.

Is it the duty of a Republican to overlook corruption in his own party and expose it only when he finds it in some other party? Is

that what we claim before the people when we ask their votes? Is it our duty to shield the corruptness of any man who is striking at the fundamental principles of our Government simply because he has branded himself a Republican?

Are we, in other words, going to place party above country? Are we party men first and patriots afterwards? You would not stand for such conduct anywhere else. Why should we think for a moment of standing for it in the party, in governmental affairs, where the interests of all the people are involved, where the rights and the liberties of children yet unborn are placed in our care? Are we going to wink at corruption in our National Government and in the next breath revere the memory of Washington and Franklin and Lincoln?

#### CHANCE TO PURIFY PARTY

I do not believe, when the people understand it, that such a doctrine will find any foothold on Pennsylvania soil. It did not find it when the great Roosevelt was a candidate and when the people of Pennsylvania, regardless of party affiliation, rallied to his support and followed his leadership. As one of those who followed him in that great fight, followed him when I was at the same time a candidate for United States Senator on the Republican ticket, I plead with you, my fellow citizens of Pennsylvania, be true to the memory of our great leader, purify our party, repudiate corruption, punish our own rascals, clean our own house, and thus save for our children and our children's children, undefiled and pure, the spirit of human freedom that has actuated the leaders of our great country from the beginning to the present.

But, suppose you elect Mr. VARE. Can you expect the Senate of the United States to permit him to occupy a seat in that Chamber? We have only to refer to recent history for an answer. It was just a few years ago, within the memory of all of us, when in Michigan there was spent in behalf of the successful candidate nearly \$200,000. This was also in a primary contest, and although the Senate seated Mr. Newberry, it did it with an apology and a warning.

The Senate on that occasion solemnly declared by resolution that the expenditure of such a sum of money was contrary to the fundamental principles of our Government and denounced it in the severest terms. In effect, it said to the country, this is the first case where so much money has been spent, and we will seat the man elected, but we will never do it again. It warned the country that the expenditure of such sums of money in a primary contest was unwarranted and meant, if continued, the destruction of our Government.

#### SEES VARE UNSEATED

With that warning facing the country, it seems to me to be an impossibility for the Senate to seat Mr. VARE even if Pennsylvania elects him. If the Senate was in earnest then, if it stated the truth in that resolution, it can not now seat Mr. VARE even if he is elected. And let me call your attention to the fact that the whole country is alive to this situation. In every senatorial contest going on now over the country demands are being made for candidates for that high office to state their position on the Pennsylvania situation.

They are asked, before election, to tell the people whether, if elected, they will vote to seat Mr. VARE if he is elected; and in every contest so far as I have heard, while there have been some candidates who have thus far avoided the question and have not answered it, there has never been one who has dared to proclaim that he would vote for the seating of Mr. VARE even though he were elected. And when we take into consideration that nearly every Senator who voted to seat Mr. Newberry, even though less than \$200,000 was spent in his behalf, has himself been defeated at the polls when a candidate for reelection, it will open our eyes to the fact that Senators will hesitate long before they will seat a man where millions have been spent in the primary where he was nominated.

So far as I have heard, every man who is a candidate now before the people of his State for United States Senator, who has declared himself on the subject, has pledged his people that he will vote against seating Mr. VARE. This applies to candidates of all parties. And if there was even a doubt about the seating of Newberry, how can there be one doubt remaining about the seating of Mr. VARE? According to the record, those behind Newberry were pikers and tightwads as compared to the Pennsylvania machine that nominated Mr. VARE.

#### RELIEVES PEOPLE HONEST

Newberry was a 30-cent candidate compared to VARE. If Mr. VARE is elected and the Senate seats him, it will have to apologize to Mr. Newberry. It will have to say to the country: "Senatorial seats are on the auction block. We will seat anybody the machine names." But, if I size up the Senate of the United States rightly, it will never put itself in that ridiculous position. If it was morally wrong for those behind Newberry to spend \$190,000 for his election in Michigan, the Senate can not bring in a solemn verdict that it was morally right in Pennsylvania to spend millions in a similar contest.

The great majority of our people are patriotic and honest. They want the best possible Government we can get. They want men in office with courage. They want men to legislate for them who are independent of outside control. They want to keep the Senate of

the United States pure and above criticism. It is perhaps the greatest legislative assembly of the world. Its membership represents more than 100,000,000 of free people, the mass of whom are anxious to increase the happiness of all our citizens; to place our Government before the world as a model of honesty, of integrity, and of human liberty.

To insure this the Members of the Senate must be elected by an intelligent, a patriotic, a liberty-loving, and an uncoerced citizenship. If the seats there are sold for cash, if special interests are able to control the votes of its Members by political manipulation behind the scenes, then our national doom is sealed. Every dollar spent by the political machine for the election of a United States Senator is only an investment. It must all be repaid with interest. As a matter of fact, it is not only repaid with interest, but the principal is repaid many times, and this payment must come through some form or other of tribute from the average citizen.

#### WORKERS WILL PAY THE BILL

The farmer, the laboring man, the business man, the professional man, must all bear their share of the expense. The millions that were spent in the nomination of Mr. VARE must be repaid by those who toll and those who work. Both the widow and the orphan must contribute to the payment. By the sweat of his brow the laboring man must add his penny. No citizen can escape from his share of the burden. If the tax is not direct it is collected, nevertheless, in an indirect way, and those who must pay the bill for the debauchery in Pennsylvania live all over the United States.

The man who works in the street in San Francisco, the man who toils in the shipyards of Maine, the laborer who picks in the South, the farmer who tills the soil in the great West, must each pay his share of this expenditure. There is no escape. The burdens of the poor must be increased everywhere because of the corruption in the primary of Pennsylvania; and there is no wonder, even if you put it entirely upon a financial basis, why the people of the country from Maine to California and from Gulf to Lake are all crying out aloud against the contamination of elections in the great Keystone State.

We, with you, must bear the burden, and we call upon you, who alone have the responsibility to repudiate the corrupt machine that not only increases our burdens, but is taking the first step which, if continued, will in the end extinguish every fire of human liberty within the borders of the Republic.

My fellow citizens, a great responsibility rests with you. A great question awaits your decision on November 2. It is not an issue between Republicans and Democrats. It is not an issue between conservatives and progressives. It is a question whether Pennsylvania shall uphold a corrupt system of politics that means the death knell of the American system of government. The question is national in its scope. It will affect every home and every fireside in our land.

#### NO HONEST DISAGREEMENT

There can be honest disagreement between us as to what is the best governmental policy to pursue, but there can be no disagreement among patriotic citizens when the life of our country is at stake. I respect the honest, sincere conservative, as I believe the honest conservative respects the honest progressive. For several years I sat side by side in the United States Senate with a distinguished son of this State, who served his country as Attorney General and Secretary of State, Senator Philander C. Knox. We disagreed on many vital questions. He was a conservative Republican. I was a progressive Republican. But there was no disagreement between us on the question of personal honesty and the necessity for the retention unswayed of our system of government, and if he were alive to-day I know he would not countenance a corrupt system which means the death knell of every freeman's hope. No man or woman can claim to be a patriotic citizen who would fail to conserve the most precious, the most fundamental right we have—the blood-bought, God-given right to cast a freeman's ballot, free from the stain of gold, safe from the hands of political corruption. No man or woman can claim to be a patriotic citizen who would fail to join hands with the citizens of all parties and all classes to preserve that right, without which the future progress of our country, under republican form, becomes a sham and a delusion.

I am not one of those, my friends, who believe that this great contest in Pennsylvania is a hopeless cause, and that the grip of the corrupt political machine is so tightly fastened upon this mighty people that it can not be shaken. In election after election, when given a fair and free choice between honesty on the one hand and corruption on the other, the men and women of this great State have repeatedly aligned themselves on the right side of the issue.

In 1912 the people of Pennsylvania, in the face of corruption, slush funds, and machine methods at the ballot box arose in their might and overwhelmingly repudiated the usurpers who had seized control of the party of Lincoln.

And here and now, in the midst of this great political campaign, I declare to you my faith that on November 2 the good people of this State will appeal from the principles and the methods of the corrupt machine to the theories and the doctrines of Penn and Franklin and

Gallatin; that the noble traditions of Pennsylvania, deep rooted in her historic soil and planted in the hearts of her people, will be proclaimed to the Nation as the real standards of this State, safe and untarnished from the national disgrace of a political machine which is not only corrupt but happy and contented in its corruption.

#### STOCK DIVIDENDS OF CORPORATIONS

The VICE PRESIDENT. The clerk will report the next resolution coming over from a previous day.

The LEGISLATIVE CLERK. A resolution (S. Res. 304) submitted yesterday by Mr. NORRIS:

Whereas it has become the usual practice of corporations, in order to protect stockholders from the payment of income taxes, to declare stock dividends; and

Whereas this procedure enables corporations to acquire competing plants, and in this way avoid the provisions of the antitrust law; and Whereas in order to legislate upon the subject the Senate should be fully informed as to the extent of this practice: Therefore be it

Resolved, That the Federal Trade Commission be, and it is hereby, directed to ascertain and report to the Senate the names and the capitalization of corporations that have issued stock dividends, together with the amount of such stock dividends, since the decision of the Supreme Court holding that stock dividends were not taxable, and to ascertain and report the same information as to the same corporations, for the same period of time prior to such decision.

The VICE PRESIDENT. The question is on agreeing to the resolution. Without objection, the resolution is agreed to.

#### ADDRESS BY SENATOR HEFLIN

Mr. RANDELL. Mr. President, on the evening of the 8th of this month, during the proceedings at a very interesting banquet given at the Willard Hotel by the National Rivers and Harbors Congress, when on which occasion you were our honored toastmaster, a gem of patriotic eloquence was delivered by the Senator from Alabama [Mr. HEFLIN]. I ask that it may be printed in the RECORD, and I call it to the attention of all Senators.

The VICE PRESIDENT. Without objection, it is so ordered. The address is as follows:

Hon. J. THOMAS HEFLIN. Mr. Toastmaster, ladies, and members of the National Rivers and Harbors Congress: I am delighted to be with you this evening. I have listened to three or four splendid speeches. The Secretary of Commerce at the outset said a very sensible thing, that you are already committed to a program of rivers and harbors development, and it isn't worth while to speak to you along these lines. You are heartily in favor of developing our rivers and harbors. We are with you in this work, so I am going to follow the suggestion made by some charming ladies, as well as by a few of these men, that I tell you some stories from the South.

I hail from the State of Alabama. You know something of the history of my State. It was ceded to the General Government in 1802. She became the adopted daughter of the Mississippi Territory; a plain country girl, modest and beautiful, she grew to be a queenly woman and was married to Uncle Sam in 1819 and lived happily with him until 1860, when he violated the marriage contract by ignoring her rights as a State and conspiring to discharge the servants of her household without her consent. [Laughter.]

She abandoned him. He objected, however, to the separation, and she sued him for divorce in the court of arms. While the law and the evidence were both on her side, the arbitrary action of the court made it impossible for her to obtain the relief prayed for, and she abandoned the suit at Appomattox. [Applause.]

A reconciliation was had. They wept at the graveside of buried loves and blighted hopes and mingled their tears in a common sorrow over the rent of the unhappy past. Uncle Sam, smiling through his tears, threw his long arms around Alabama's queenly form and, according to Aunt Dinah, said softly, "Who's sweet?" And she leaned her head up against his shoulder and said, "Both of us." [Laughter.]

She had no apology to make, and Uncle Sam had none to ask, and they lived happily together ever since. [Applause.]

I am for the completion of the Mississippi system; I am for the completion of the Great Lakes system, as well as I am heartily for the completion of all the rivers that I can get you to help me on in Alabama. [Laughter.]

They had a negro baptizing down on the Mississippi River last summer. There was a long line of them drawn up by the riverside, including a number of damsels black as melted midnight. They sang, The Lillies of the Valley Will be Baptized to-day. The old parson, taking them in one by one, finally came to a little bullet-headed negro with his hand resting against a tree gazing steadfastly out into the water. Then the parson said, "Come right in, my brother," reaching his hand up, "Come right in my brother; come right in."

He said, "No; I ain't acomin' in."

He said, "What's the matter with you? Has your faith weakened?"

He said, "No; don't you see that alligator on that rock right over there?" [Laughter.]

The old negro parson threw his hands up in holy horror and said, "Now, just listen at dat. Don't you remember when the whale swallowed Jonah and the Almighty made him fling him up on the sand? Don't you know if your faith is firm He will make that alligator throw you up?"

He shook his head vigorously and said, "Parson, you may be acquainted with whales, but you don't know nothin' about these Mississippi alligators. If ever one of them things swallows a nigger, it goes right off and goes to sleep and forgets all about him." [Laughter.]

The negroes had a protracted meeting down in Georgia, and old Uncle Rufus joined when he was 80. The parson considered it a great triumph. He said, "We got one member to-night, who just came through. We want to hear from him."

Old Uncle Rufus got up, looking piouslike. He said, "Fellows, I am individually concerned. The way, as far as I am individually concerned, is clear."

They answered back, "Uh-huh."

He said, "It's broad and smooth just like the ceiling."

They said, "Yas."

He said, "There ain't no rocks and roots and stumps in the way."

They said, "No."

He said, "All I got to do is to walk right up to the pearly gates and go right in."

They said, "Uh-huh."

"But," he said, "the only thing that is troubling me is how is I going to get my shirt on over my wings."

Old Rufus rose up in the corner and said, "Ya, you old crapshootin' sinner you, your trouble is going to be how is you going to get your hat on over your horns." [Laughter.]

They were carrying on a protracted meeting down at Danville, Va., before Christmas, and the bishop was there. The bishop said, "Some of you niggers won't be here after Christmas. You are going to get out of here and take some of this white lightning, get one of these little bulldog pistols, and it will be all over with you when Christmas is gone."

They said, "Uh-huh."

He said, "If I had it in my power, I would 'stroy all the likker in the world."

They said, "Yas."

He said, "I done writ a letter to the President and ax him to give me the key to the warehouses."

"Uh-huh."

"And to let me have the likker in the drug stores."

"Yas."

He said, "I am going to knock all the heads out of those kegs and barrels and bust all them bottles and jugs; I am going to throw that likker in the river and on Christmas morning you niggers will see that river flowing red with red likker. That's all I got to say. Let the choir sing."

The leader arose and said, "Let us turn to No. 242, 'Shall we Gather at the River?'" [Laughter.]

You have heard a great deal about the cotton situation in the South. The South is suffering tremendously at present because of the low price of cotton, which is far below the cost of production. Those who do not understand that question see cotton quoted at 11 and 12 cents a pound and do not know the lower grades reach down to 5 and 6 and 7 cents a pound. Our cotton farmers are hard pressed this year. Diversified farming must come more generally among our people, and Congress must devise a way to keep cotton off the market, all of it, until the price will justify the farmer in selling it. What good will it do to merely help him care for a surplus? He must be put in position to hold his cotton and refuse to sell unless the price is satisfactory. We are good at making cotton, but we are poor at marketing it. I am reminded of what old Uncle Joe Cannon said about the baboon at the circus. He said they employed a negro to take charge of him when he was 10 years old to carry him through the circus and hold his hand and not let him put his hands upon the bars of the cages of the wild animals. He said this negro gripped his hand so tight that it ached for three days. He never lost sight of him and turned him loose but once, and that was when he came upon a baboon in a cage. The baboon was swaying his body back and forth. The negro turned him loose and caught the bars himself and looked eagerly at the baboon and said, "How is you?" [Laughter.]

The baboon said nothing, of course.

The negro said, "I say, how is you?" [Laughter.] Then he said, "Dat's right; if you ever open your mouth, the white folks will have you in a cotton patch in an hour." [Laughter.]

Have you ever observed this plant at the fruiting time, with outstretched limbs laden with squares; within every little square is a blossom yearning for the sunlight of Dixie? The gentle breezes are calling it to come forth to lighted air, and now they announce its advent; and a little white blossom nods and smiles with a dewdrop laughing on its lily crest and a honey bee humming to its heart, and Solomon in all his glory was not arrayed like one of these.

This little white blossom, conscious of its fast-approaching demise, weaves its own winding sheet and, bleeding, dies. Once white, then red, it fades and falls and leaves behind it a tiny green sphere, and this sphere, basking in sunshine and reveling in shower, flourishes until autumn winds whisper to every full-grown boll, "Open sesame." And the cotton stalk flings its fleecy fiber to the breeze and busy fingers pluck it from the boll and we hear the hum of the cotton gin. The seeds fall down on the floor below and lint comes out in swirls of snow, and yonder, at the cotton factory hard by the cotton field, we hear the tremulous voice of industry in the concert of whirling spindles weaving the fiber into cloth.

Cotton gives to America every year the balance of trade, and cotton brings to our country every twelve months more gold than the world's annual output, and cotton is the only product every pound of which is converted into money and every dollar of which contributes to the financial wealth of the United States. And I submit that those who produce it are entitled to do whatever is necessary to enable them to receive a price that will yield a profit. [Applause.]

My friend General Dawes, the presiding genius of the Senate, I believe has more friends among the Democrats than he had amongst the Republicans. [Applause.] I am inclined to tell him a story about the southern girl's idea of human government. They asked each one of the girls what form of government they thought was best. They gave various answers. Finally the little southern girl said, "I like a Republican form of government with a Democratic administration." [Laughter.]

Ladies and gentlemen, the South must go more and more into diversified farming. I want to see the time come when we can say of the southern farmer as is said in the book of Job, "Every farmer gathered corn of his own field." Did you ever behold a field of growing corn waist high, standing in military fashion across the billowy field with uplifted blades like broadswords, preparing to fight the South's great battle on the field of diversified farming? The winds will sing prosperity through the gates of morn as they breathe balm in the ranks of the bending corn. Behold a field of it in the night time, in its dark-green grandeur, reflecting from the dewdrops on its blades the pale glory of a southern moon. You get glimpses of corn in the crib, of meat in the smokehouse, of red slices of ham swimming in red gravy, of hot biscuits with rich yellow butter oozing from their sides as they tumble into a plateful of Louisiana sugar-cane sirup, pear preserves in their golden glory, purple juice gushing forth to greet the knife blade as you penetrate the crust of a blackberry pie, peaches and cream laughing in your face, while strawberry shortcake shouts for joy. [Laughter and applause.]

We are honored by the presence of General Pershing to-night, the great commander of the American forces in France, and I am reminded of the story told on some of our southern negroes who went overseas. An order was passed down the line in the trenches, and all the niggers laughed when they read it. It said: "Thirty thousand nigger troops backed by fifty thousand French soldiers will go over the top at sunup."

One nigger said, "What you laughin' about, Sam?"

He said, "I am laughin' how it's gwine to read to-morrow afternoon."

He said, "How you think it will read?"

He said, "I know how it will read."

"How will it read?"

"Fifty thousand French soldiers 'trompt' to death by 30,000 nigger soldiers." [Laughter.]

Ladies and gentlemen, this is indeed an auspicious occasion, one that few people, perhaps, none in the country have ever witnessed before. We have present here to-night the grandson of the great general who commanded the Union forces and who declined to take Lee's sword at Appomattox, and who told the Confederate soldiers to take their horses home and use them to make a crop—General Grant. [Applause.]

And we have here the granddaughter of the peerless commander of the Confederate forces, that stalwart among the military masters of the earth, Gen. Robert E. Lee. [Applause.]

When I behold this scene to-night, I think of the poem on the Blue and Gray:

"Here's to the blue of the wind-swept North  
When we meet on the fields of France,  
May the spirit of Grant be with you all  
As the sons of the North advance!

And here's to the gray of the sun-kissed South  
When we meet on the fields of France,  
May the spirit of Lee be with you all  
As the sons of the South advance!

And here's to the blue and gray as one  
When we meet on the fields of France,  
May the spirit of God be with us all  
As the sons of the flag advance."

[Applause.]

General DAWES, who sits on my right, was a brave warrior in that conflict; and here is General PERSHING, appointed by President Wilson to command the American forces. It was composed of the sons of the

men who wore the blue and the sons of the men who wore the gray, as brave soldiers as ever shouldered gun or drew a battle blade, southern soldiers and northern soldiers, side by side, on the fields of France, and under the masterful leadership of General Pershing, of America, they took our flag across the sea, carried it to victory on the battle front in France and brought it back covered all over with the glory of that valor. [Applause.]

This is, indeed, an auspicious occasion; our reunited country, in this morning of the twentieth century, takes her place in the front ranks of the nations of the earth, with malice toward none and good will toward all, and the South, God bless her, stands ready to follow wherever Old Glory bares her beauty to the breezes. [Applause.] Rich in the heritage of a glorious history, proud of her splendid present, happy in the rosy promise of a glorious future, the South reconsecrates her heart, her strength, and her all to the highest and best interests of our common country—America, incarnated spirit of liberty—our hearts and our hopes are all with thee.

[The audience arose and applauded.]

#### IMPROVEMENT OF RIVERS AND HARBORS

Mr. RANSELL. Mr. President, I wish to call the attention of the Senate to two important addresses delivered before the National Rivers and Harbors Congress at its convention in this city on the 8th instant, one by myself, entitled "Making statistics tell the truth," and the other by Maj. Gen. Edgar Jadwin, Chief of Engineers, on "Our national waterway plan."

In the address of General Jadwin he demonstrated that about \$465,000,000 have been expended on our oceanic and Gulf harbors, with a resultant saving annually in freight charges exceeding \$450,000,000; also that on our Lake harbors and channels to date expenditures have been about \$160,000,000, with an annual traffic of 130,000,000 tons and a saving in freight charges every year in excess of \$160,000,000; also that on the Mississippi River system, which he shows to be in a very unfinished condition, about \$300,000,000 have been spent, on which system 50,000,000 tons of commerce were carried last year, with a freight saving in excess of \$18,000,000. This makes an aggregate expenditure on these particular works of \$925,000,000 and an aggregate annual saving in reduced freights of \$628,000,000 a year, according to the general's estimates.

He summarizes by saying that "all the works of river and harbor improvement constructed in the continental United States have cost approximately one and one-fourth billion dollars for navigation, about two-thirds of which was for new work and one-third for maintenance. The annual savings in freight bills are over one-half billion dollars." This address of General Jadwin was one of the most comprehensive, instructive, and encouraging to believers in waterway improvements ever delivered in this country, and I urge all who are interested in the subject to study it carefully.

My address on "Making statistics tell the truth" brought out the fact that in arriving at the "grand total" for expenditures on waterways from the first appropriation 102 years ago every dollar for new improvement and for maintenance is included year after year and added together from year to year, without giving any credit for the remarkable savings resulting from the improvements which General Jadwin shows amount to over half a billion dollars every year. I called attention to the unfairness of this method of bookkeeping and urged upon General Jadwin a complete change in his system, so as to show all proper expenditures for new works in one item, with all maintenance charges in another, followed by an estimate of the annual savings in freight charges resulting from these improvements.

I ask unanimous consent to have these two addresses inserted in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The addresses referred to are as follows:

#### MAKING STATISTICS TELL THE TRUTH

Hon. JOSEPH E. RANSELL. Mr. Chairman and fellow members of the National Rivers and Harbors Congress, nothing in my public career delights me more than to stand before such an audience as I have the honor of addressing this morning. I wish I could talk to you an hour or more instead of 10 minutes, which the management have told me I must consume in discussing the subject assigned to me by them, to wit, "Making statistics tell the truth."

I am sure the gentlemen in charge of Federal statistics have not intended to state untruths, but, as a matter of fact, the waterway statistics of this Nation, as compiled by our fine Corps of Engineers, since rivers and harbors appropriations began about 1824, some 102 years ago, have not been telling the truth about waterway improvements, as I understand the word truth, and as statistics are made to apply to other business matters.

In looking over the report of the Chief of Engineers for 1925, the last one available, I noticed that the total appropriations for rivers and harbors that year were \$64,087,000 (I won't attempt to include the odd dollars); for new works there was something over \$44,000,000; for maintenance, some \$19,800,000; and yet I find at the bottom of the page these words: "Grand total, \$1,311,000,000."

In arriving at that "grand total" consideration was given to these maintenance items of \$19,800,000, and they were included in it. Why? Echo answers why? I suppose because it always had been done. Because from the very beginning of Federal appropriations for waterways, 102 years ago, the total expenditures for rivers and harbors have been added together from year to year. Every dollar expended for the original improvements, the new work, and every dollar for maintenance have at the end of the year been added together, making a lump sum, and that lump sum has been carried into the next year, and so on year after year, finally arriving at a "grand total" at the end of the fiscal year 1925 of \$1,311,000,000. Does any business man keep his books in that way? Is there any system of that kind applicable to the railroads of America? Oh, no, my friends; the railroads' method of bookkeeping permits the Interstate Commerce Commission to say that at the close of the year 1925 the total capital of the railroads was something like \$21,092,000,000. I do not know just exactly how they arrived at that figure, but they surely did not add every year the sums expended for maintenance to the total hitherto spent for new works.

To illustrate, I find that according to the Interstate Commerce Commission the total capital of the Pennsylvania Railroad at the end of 1925 was estimated at \$1,092,000,000, if I remember the exact figures. The total operating revenues of the railroad that year were \$672,000,000, while its total expenses for maintenance and operation were \$547,000,000, and for betterments and new work some \$37,000,000.

Suppose the system applied to our waterways had been applied to the Pennsylvania Railroad. We would have had its capital of \$1,090,000,000 supplemented by this \$547,000,000 for maintenance, plus the \$37,000,000 for betterments. Suppose that system had been carried out since the Pennsylvania Railroad was originally constructed, and all expenditures for new works and maintenance had been added at the end of each year to all such prior expenditures without giving any credit for the revenues earned, and same had been carried forward to the next year to arrive at a "grand total," where would we be? It would take a much better mathematician than your humble servant, and not only a mathematician but a real statistician, to tell how much under such a system would be the present capital of the Pennsylvania Railroad; and it would take a dozen statisticians to work out the earning capacity of the Pennsylvania Railroad on such a capital as that, for on that basis it could not earn even a very small fraction of 1 per cent per annum.

If that system of bookkeeping is wrong when applied to the great transportation systems of the country—the railroads—it is wrong when applied to the waterways. Do not understand me as criticizing the Engineer Corps of the Army. I have been associated with many of their leading officers in an intimate way during my 28 years of service in Congress, and there is no body of men in the public service whom I honor and admire more than our Engineer Corps.

This system of making reports has grown up during a century. I am calling it to the attention now of General Jadwin, our very efficient Chief of Engineers, whom I see before me, in the hope, General, that you may be able, sir, to work out a different system and make your reports in the future show fairly and truly what sums were expended for permanent improvements and what for maintenance; and also a system that will enable you to charge off the books at the end of each year the sums for maintenance, balancing those amounts by the earnings of the waterways for that year.

You may say, "Senator, how am I going to ascertain what the earnings of the waterways were? We don't have a system of tolls on these waterways; we don't have freight and passenger charges, such as the Pennsylvania Railroad, which enables it to say that its operating revenues for 1925 were \$672,000,000."

No, General, you state the case correctly; but I will give you two or three illustrations that will probably enable you to get at a fair estimate of the earnings on some of our improved waterways. Let us consider the Great Lakes—not the whole of them, but the Sault Ste. Marie canals and locks, which were improved by this country and Canada, at a total cost of \$31,300,000, Canada paying \$5,000,000 and this country paying the balance. According to the last official report of the Engineers Corps for 1925, the total commerce through the Sault Ste. Marie canals, Canadian and American, that year was a little over 81,000,000 tons, carried an average distance of 800.9 miles, at an average cost of 1.08 mills per ton-mile, and a total freight charge paid of \$71,000,000, or an average freight rate of about one-ninth of the average railroad rate on all the railroads of the country.

Now do a little calculating: \$71,000,000 paid for that vast commerce of 81,000,000 tons transported over 800 miles on the Great Lakes at one-ninth of the railroad charge.

You say, "Ah, Senator, that is too high. The railroad rate in the vicinity of the Great Lakes is not as high as for the Nation at large."

All right; I will adopt your suggestion and assume that the railroad rate in the vicinity of the Great Lakes was about one-half of the average railroad charge for the Nation at large. That gives four and one-half times the water rate, and multiplying \$71,000,000 by  $4\frac{1}{2}$ , it gives \$319,000,000 that would have been paid for that commerce had it been carried by the railroads in the vicinity of the Lakes, instead of \$71,000,000, which was actually paid for its conveyance on the Lakes.

Now deduct the \$71,000,000 actually paid, and you have a saving on the commerce in one year of around \$247,000,000, while only \$31,300,000 has been spent on the project for works of improvement. In other words, you have a saving more than eight times as great in one year as the total cost of all the expenditures at the Soo.

Bear in mind apropos of my subject, "Making statistics tell the truth," that in computing the "grand total" of river and harbor improvements for our country the \$31,300,000 spent at the Soo, less \$5,000,000 paid by Canada, was included, but no credit was allowed for the vast accumulated savings in freight charges every year since the first lock was completed in 1881, 45 years ago—a saving in one year, 1925, of \$247,000,000. Do such statistics tell the truth?

As another illustration we have the Delaware River. For the five years last past up to the 30th of June, 1926, there had been expended on the Delaware in new work something like \$4,600,000, and for maintenance on that stream something like \$6,600,000; that is a total of a little over \$11,000,000 expended on the Delaware River in new works and maintenance in five years.

"Oh, Senator," you say, "that is an awful big amount."

Yes; but don't forget that the commerce on the Delaware for those five years was 101,113,000 tons valued at over \$4,800,000,000. Do a little more figuring and you will see that the cost to the Nation to carry that vast commerce on the Delaware was around 11 cents per ton for five years, or about 2 cents per ton per annum. Isn't that a wonderful thing! Yet, my friends, when the waterway "grand total" is made up, not only do we find included in it the \$4,500,000 for permanent improvements on the Delaware, but also the \$6,500,000 for maintenance of the channel for the last five years. I might say in the slang of the day, "Can you beat it?"

Just one more example. We will now consider that little river known as the Monongahela. The total cost of improvement on this river up to June 30, 1925, was \$10,883,000. How does the commerce on the Monongahela show up for 1924? That year it was 21,882,000 tons, of which 21,380,000 tons were coal, the other 500,000 tons being something else, I don't know what, and won't bother with it. It cost 14 cents per ton freight charge to carry that coal on the Monongahela to Pittsburgh. Let's add 4 per cent interest for one year on the total cost of improvement, together with operating and maintenance charges, and we get about \$1,225,000. Divide this 21,380,000 tons into \$1,225,000 and it gives us about 6 cents additional to be computed in arriving at the actual cost of carrying that coal. In other words, we have 14 cents, plus 6 cents, equal to 20 cents per ton to carry that vast amount of coal on the improved river.

That year it cost 88 cents per ton to convey coal to Pittsburgh from the vicinity of the Monongahela by rail, or a saving of 68 cents per ton by water. In other words, if you multiply the tonnage of coal carried on the river in 1924 by this difference of 68 cents in favor of the water rate, you will find that the saving to the American people, the stockholders who own this waterway, was over \$14,000,000 in one year on a river the total improvements of which, including maintenance, cost a little over \$10,500,000. There was an actual saving of \$3,500,000 in excess of the total cost in one year, and yet in making up that "grand total" of the cost of rivers and harbors, on which some of our railroad friends tell us we have got to earn interest, I find the improvement and maintenance and everything else on the Monongahela included, but not one cent of credit for earned revenues. Does this kind of book-keeping "Make statistics tell the truth"?

On many of the Nation's waterway projects—especially the leading harbors on the Great Lakes, the Atlantic, the Gulf of Mexico, and the Pacific—the relative annual savings in freight because of greater depth and increased facilities are as great as at the Soo, the Delaware, and the Monongahela. But all these very successful and highly profitable waterway improvements, including the annual maintenance thereof, have been added together and piled on top of one another year after year for more than a century to make up the "grand total" expended on our rivers and harbors.

Ladies and gentlemen, I could talk much longer on this subject, but am going to close with the suggestion to our splendid Chief of Engineers that he study this subject closely; that he devise a better system and put it in practice without delay. He has already figured out in a way (he hasn't had time to do it accurately) that the total cost of waterways in this country to date is something like \$1,301,000,000, of which \$985,000,000 was for new works and around \$406,000,000 for maintenance. General Jadwin, if you could charge off the books that \$406,000,000, our rivers and harbors would look a whole lot better to the country; and if you could make it apparent, as the Secretary of War has just said, that in round numbers our waterways have cost

\$1,225,000 in all our history and we save annually in reduced freight charges around a half billion dollars, that would be fine. Just think of it! But even saving half a billion dollars a year doesn't tell the story. I have just showed you that on one waterway alone we saved last year \$247,000,000—one-half of that half billion. If we could get this fact into the minds of the American people they would fall over one another, more than they are doing now, to get on the waterways band wagon and improve every canal and river and harbor in this country to the most thorough and perfect degree.

Gen. EDGAR JADWIN. May I say a word?

President WILSON. As evidence of the interest aroused by the speech of Senator RANDELL, I, out of order, recognize General Jadwin for a few remarks.

General JADWIN. I am going to have the privilege of talking to you this afternoon, so I don't want to say anything now except to make a slight comment on Senator RANDELL's suggestion at the time it is still warm. The Senator is right about his system and as to what is the proper way of figuring things, the way you business men figure them. For years the records have been kept in the way that he says. I caught this fact some little time ago, and last year started a system of going through our old records and seeing whether we could not run a knife through between the maintenance and the first cost. It is very difficult to get it accurately because the records were not kept that way years ago. We are, however, getting a figure on that point.

At the same time I may say that some years ago I was rather impressed with the fact that whenever the question of waterways was discussed and people wanted to show it was a good thing, the first thing they did was to say that all these projects were passed on first by Congress, and you couldn't get a survey unless Congress authorized it, and then it had to go before the Engineers Department, and then they turned it over to an Army engineer who was a man of great brain power and wonderful integrity, and he, of course, couldn't make any mistake; and if he reported it favorably it was passed on by the division engineer who was the same sort of a man, only a little more so. Then it went to the Board of Engineers, composed of a collection of older fellows who had been stung, some of them, once or twice, and they were getting a little bit wiser. Then came the Chief of Engineers. In those days he seemed to me to be rather old and gray haired, etc. So there we are. Then it went to Congress, and Congress chewed it over carefully in the River and Harbor Committee and with their experts among the Congressmen. Then it went on the floor of the House, and in the same way through the Committee on Commerce and then before the Senate. By the time it got through and passed the President it was the most wonderful thing that ever was and there couldn't possibly be an error.

I heard that explained many times, and I found a good many people who wanted to know whether the thing paid, and they weren't convinced that it did. They thought something was wrong and started after the idea of finding out whether it did pay. I found one fact; the idea wasn't new to me, although I think probably I am the father of the thought of having the things expressed in that way to the extent that they are nowadays by so many people. I found back in the report of a board of engineer officers on Galveston Harbor that they brought out the matter of the great annual savings of that work, and they were equal to the total cost of the work up to date, maintenance and all. Following somewhat along that plan, we have now gotten together the total cost and the total freight savings. It has been a matter of a great deal of work. We have been approximating at it, but we have been getting closer and closer to it. The summation the Secretary gave you is about the best total figure we have. I will have more details for you this afternoon.

The Senator referred to what our railroad friends are doing to us, and also he might as well have included our pork-barrel friends. They were raising that point, and we knew it was wrong and had to find the figures to show it, and we found them. When I found out that all the works in the country—river and harbor works—taken together were paying a total of 33 $\frac{1}{3}$  per cent or more on every dollar that had been spent on them, both for new work and for maintenance, I felt so happy about it that I thought we could take a little breath in there and allow a little interval. Old General Marshall used to say that when you got into an argument with a fellow you never wanted to clean him up entirely, but you wanted to leave him a little something to hang on to, as it makes him feel better and eases him for the next day's play. That was the way with the people opposing us. We still have up our sleeves, and we are getting the data on this matter Senator RANDELL speaks about, and the figures we give you will be something fabulous on some of these works. I don't know of any corporations paying 33 $\frac{1}{3}$  per cent on capitalization, let alone first cost plus maintenance. Really, we are two laps ahead of time, and I think we ought to congratulate ourselves on that. Thank you.

#### OUR NATIONAL WATERWAY PLAN

Address of Maj. Gen. Edgar Jadwin, Chief of Engineers

Mr. President and gentlemen, it is a privilege to talk to you gentlemen of the National Rivers and Harbors Congress. We have common

hopes and ideals, and in the final analysis we are striving to increase the growth and development of our country. Cheap transportation is the cornerstone of nation-wide industrial and agricultural prosperity, and by improving our waterways for navigation we are making possible the use of the cheapest transportation yet developed. The Corps of Engineers acts as the technical advisor of Congress in studying the possibilities of our waterways for navigation and in planning their improvement. We then execute the works after Congress approves the plans and appropriates the funds. Congress is the board of directors of this huge corporation we call the United States and the people are the stockholders. Associations such as yours represent important interests of the stockholders, for upon you rests in a large measure the duty of crystallizing the opinion of the people on this subject and of giving expression to their desires. Your responsibilities and the responsibilities of the War Department in connection with waterway improvements are heavy, and it is therefore most appropriate that we meet, discuss our problems, voice our opinions, and exchange our views.

The opening date of your congress coincides exactly with the opening date of the International Congress of Navigation, meeting in Cairo, Egypt. Ten delegates from this country, one of them a very prominent and active member of your congress and one of them a former Chief of Engineers, are in attendance at this international congress. There they will discuss with the representatives of other countries of the world the technique and economics of waterway improvement. Comparatively speaking, we are a very new Nation, but I venture the assertion that we have more to tell our friends across the seas than they have to tell us. Our problems are greater and are equally as complicated. Nowhere else in the world will there be found a problem of inland waterway improvement that equals in extent the one that has confronted us in improving the Mississippi River system. No country in the world can boast of more or better seacoast harbors or of a greater lake development.

In spite of the magnitude and complexity of our work, I am able to report substantial progress during the past year. In order to give you a complete picture of the work that has been done and the way it has been planned I wish to outline the national plan that has been pursued for many years and indicate some of the benefits that have already resulted from it.

First let me quote a short statement discussing the problems of the British Empire. "Traditions, based on well-established precedents which have proved workable in the past, are believed to be better guides for the future of the British people than any written constitution or definitions which may endeavor to encase the empire in an unyielding framework. Consequently, it seems safe to predict that British imperial politics will continue to evolve according to the circumstances, not abstract theory."

The thought just expressed applies to the American plan for the improvement of its harbors and navigable waterways. It is comprehensive and complete and at the same time it is flexible. It was not built in a day but was a matter of growth. This was of necessity so, for it would manifestly have involved a waste of public funds to undertake the improvement of all waterways at once, some prematurely and regardless of the economic needs. We are substantially up to date in considering new works for recommendation to Congress and nearly so in carrying out the main projects already approved by Congress. Although in this plan navigation has received the primary consideration of Congress, and therefore of the Army Engineers, flood control, power development, and irrigation are also being given their proper place in studies and plans looking to the improvement of our waterways. Let us look first at the plan as applied to the principal classes of work for the improvement of navigation: Seacoast harbors, Great Lakes harbors and channels, the Panama Canal, the Mississippi River system, and other waterways.

#### SEACOAST HARBORS

The plan for developing our seacoast harbors provides harbors sufficient in number, and of such characteristics and so distributed as to meet the needs of our foreign and coastwise commerce. Harbors may be classed according to their possibilities, viewed not only from the standpoint of physical limitations but from that of commercial probabilities. We have, first, our great ocean ports, which, because of their geographical locations and physical surroundings are actually centers of foreign trade or susceptible of being made so. Next come the harbors at which may be shipped important quantities of bulky freight but where a general business has not and can not be developed. Harbors of lesser importance are those used primarily for coastwise traffic, where the imports and products of a limited territory are distributed and collected. Finally come the harbors and havens for fishing craft and the numerous small harbors that engage in a purely local coastwise or internal traffic. These various harbors have controlling depths of from 12 to 40 feet, depending upon the traffic they serve.

We have spent about \$465,000,000 to date upon some 200 harbors and there still remains to be done, in order to complete existing plans, work totaling in cost about \$110,000,000. The commerce moved over our harbors in 1925 was over 300,000,000 tons. The benefits derived from our seacoast harbors are vital. Upon them is dependent our entire

overseas trade. Upon this trade is dependent to a large extent our economic growth and prosperity. Most of our seacoast harbors have been put in excellent condition. The latest addition to the happy family is the port of Corpus Christi—officially opened a few months ago as a full-fledged harbor and already engaged in coastwise and overseas business. Miami came in several years ago with 18 feet, and having found it insufficient is now being reborn with a depth of 25 feet. It is now possible for ships carrying commodities from and to every part of the United States to enter the harbor which will give the most economical rail haul. Improved harbors have made possible a great increase in the size of the ships which carry our commerce. The steady growth in size and capacity is clearly shown on this picture. The increased size of ships has, in turn, resulted in much lower ocean rates, and a consequent enormous annual saving in water freight rates.

Our seacoast harbors serve the entire country, the Central States and the Middle West, as well as those sections bordering on the seaboard. The price received by the farmer for his wheat depends upon the price of this grain in Liverpool. Saving several cents per bushel on the ocean rates therefore increases his receipts by the same amount, not only for the grain actually exported but for the grain sold for domestic consumption. Deeper harbors and cheaper ocean rates increase the profits on all exports sold in foreign markets—whether manufactured in the East, West, South, or North. It is possible to compute the savings in land freight rates that result from water transportation in intercoastal and coastwise traffic, for here we have established rates via other means of communication with which to compare the water rate. These savings exceed \$350,000,000 annually. These figures do not take into account the benefits arising from overseas trade, which latter benefits add over a hundred million. The total annual harbor savings thus evaluated equal the total cost of all the harbors to date—an annual dividend of 100 per cent. In addition it may be mentioned that the improvement of these harbors has been concurrent with the growth of the country and that we now receive in the collection of annual customs dues over a half billion dollars.

#### LAKE HARBORS AND CHANNELS

The plan for our Great Lakes is to provide harbors and channels with such depths, widths, and other physical characteristics as to permit the economical movement of the vast natural resources tributary thereto.

The present authorized depths are, in general, such as to accommodate vessels of 20-foot draft.

The work to date has cost \$160,000,000. The traffic, totaling 130,000,000 tons in 1925, and consisting principally of such bulk commodities as iron ore, coal, and grain, is a fair index of the importance to the Nation of this system.

The savings in the transportation of the iron ore and the coal, particularly the iron ore, benefit practically every householder in the United States, as they are, in a large measure, transmitted to the consumer, and as practically every citizen uses iron and steel products.

The annual savings in the transportation costs on the Lakes are also greater than the entire first cost of all the improvements that have been made. The estimated cost to complete all existing projects on the Great Lakes is only about \$9,000,000, but we have recommended about \$5,000,000 additional, and the pending river and harbor bill carries an item for additional improvement of these channels. The Great Lakes need and deserve deeper channels.

#### PANAMA CANAL

The Army engineers take pride in their connection with the construction of this magnificent artificial waterway connecting the two greatest oceans of the globe. The canal cost \$380,000,000 not including the cost of fortifications and armaments. In 1925, 26,000,000 tons of commerce moved through the canal, resulting in the collection by the United States of \$21,000,000 in tolls. In addition it augments the large savings on intercoastal traffic by reason of the shorter water haul thus permitted. The benefits of the Panama Canal accrue primarily to the Atlantic, Gulf, and Pacific coast territories, and consequently the Middle West, which is served by the Lakes and the Mississippi systems, was relatively set back.

It is apparent that great relief will be afforded to the Middle West if a deep-sea connection be made from the Great Lakes to the sea. A joint board of Canadian and American engineers has been studying the improvement of the St. Lawrence for two years. This board consisted of three Canadian engineers and three American engineers—the latter from the Corps of Engineers of the Army, the speaker being chairman of the American section. The work was done for the President's Advisory Committee, of which Secretary Hoover is chairman.

As a result of the studies, the joint board has submitted plans for a 25-foot waterway at present, with the sills of the locks at 30 feet, so that the waterway can be deepened to 30 feet if necessary. The plans have been predicated on a location and type of construction which lend themselves to the ultimate most advantageous development of the full capacity of the river, if later needed.

Another board of Army engineers, working under the direction of the Secretary of War, has been concurrently studying a route from the

Great Lakes to the Hudson River. This route is also feasible and cost for 25-foot navigation \$506,000,000, but was not recommended. The report of this board was passed upon and concurred in by the River and Harbor Board.

In transmitting these reports I expressed the opinion that ultimately this great section of the country to be served by the Great Lakes should have ports of its own, connected by channels to the sea, which would furnish freight facilities equal to those existing on the Atlantic, Pacific, and Gulf coasts. The problem is which one of the routes to undertake at present. We found the St. Lawrence route, on the whole, a better navigation proposition than the Great Lakes to the Hudson. It also can be enlarged and deepened with less extensive work. The controlling point, however, is the lower cost of \$173,000,000 for navigation alone via the St. Lawrence, as against \$506,000,000 by the Great Lakes-Hudson route, about one-third. It can also be advantageously correlated at additional cost with a 5,000,000-horsepower development, which will also give a still better navigation. The market for power will be such that the power will ultimately more than carry itself, leaving the two Governments concerned primarily with finding money simply for the navigation costs. Try and visualize the economic advantage to the Middle West empire east and north of Montana, Wyoming, Colorado, Kansas, Missouri, and Kentucky of placing deep-sea ports at Duluth, Milwaukee, Chicago, and Cleveland. It is difficult for any man to foresee the full extent of its effect on the growth of that great region.

#### THE MISSISSIPPI RIVER SYSTEM

The plan is to improve this system of natural waterways in our great interior basin, so as to provide channels adequate for the traffic, but limited to the extent of reasonable engineering possibilities. Considering only the main arteries of the system, the Mississippi to St. Paul, the Ohio system, the Missouri to Kansas City, the Illinois River to Chicago, and the intracoastal canal to Louisiana, Texas, Mississippi, and Alabama ports, there have been expended to date over \$300,000,000 for the improvement of navigation, and there remains to be done work totaling over \$50,000,000, not including any work not yet approved by Congress.

Existing authorizations call for a channel 9 feet in depth from the Gulf States to Cairo; thence 8 feet to St. Louis, 9 feet to Pennsylvania, and with 6 feet to the Twin Cities. The department has recommended to Congress, and there is included in the pending river and harbor bill, authorization for a 9-foot channel from the mouth of the Illinois River to Utica; thence by the State channel to Chicago. In order to complete this 9-foot trunk line from Chicago to the Gulf the gap between the mouth of the Illinois River and Cairo must be further improved.

Twenty million dollars was allotted for navigation of the Mississippi system during the present year and \$10,000,000 for flood prevention. The work is being pushed with vigor and is progressing most satisfactorily. As regards the magnitude and complexity of problems involved, the work of improving the system, particularly the Mississippi and the Ohio, is without parallel in any country in the world.

Much work has also been done on many of the principal tributaries—Allegheny, Monongahela, Kanawha, Cumberland, Tennessee, Ouachita, Black Warrior, and others—and more will undoubtedly be justified when the main lines are completed.

The tonnage carried is increasing rapidly from year to year and will continue to increase as the entire system nears completion.

In its incompleteness state commerce totaling more than 50,000,000 tons was carried in 1925, with a resulting saving to the people in transportation costs of some \$18,000,000.

This tremendous undertaking is nearing completion, and in a few years we may look forward to a continuous navigable waterway 9 feet deep from Pittsburgh, Pa., and St. Louis, Mo., to Houston, Tex., with many thousands of miles of tributary feeders not less than 6 feet deep.

The benefits of this system go primarily to the people in the intermountain States, although somewhat to people farther east and farther west.

#### OTHER WATERWAYS

Our other intercoastal and inland waterways consist of various main lines with feeders and in some cases of comparatively short improved stretches not yet connected to other parts of a system. The plans for these must necessarily vary to meet local conditions. All sections of an intracoastal waterway along the entire Atlantic and Gulf coast are not yet approved by Congress, but we have spent to date \$27,000,000 upon the approved links in this undertaking. It will probably take about \$100,000,000 to complete such a project. The enlarged Chesapeake & Delaware Canal will be completed next month. The Cape Cod Canal and the connection to complete a route from Norfolk to Wilmington, N. C., are in the pending bill. So far it has been the policy to build those parts or sections of the waterway where the economic situation was such as to justify each such short section as it was built. The local traffic on these sections has justified them. We are now, however, approaching the time when we can visualize the adoption of the entire project. This system, including both the coastal waterway

and its tributary rivers, will then form an important part of our inland waterway trunk lines as exemplified by the Mississippi Valley system.

To summarize, all the works of river and harbor improvement constructed in the continental United States have cost approximately one and a quarter billion dollars for navigation, about two-thirds of which was for new work and one-third for maintenance. The annual savings in freight bills are over one-half billion dollars. The customs receipts of the country through the harbors are also half a billion dollars per year. In addition the country has received from these waterways benefits other than coldly stated freight savings which it is difficult to evaluate, but which have been vital factors in its growth and prosperity. These works are constructed by the Army engineers under the Secretary of War.

We are particularly fortunate at this time in having for our Secretary a man, Hon. Dwight F. Davis, who was, I believe, the first Secretary to enter upon his office with an understanding of and sympathy for the improvement of our inland waterway system. The position of waterways in the country has been strengthened by the support received from Secretary Hoover and Secretary Jardine. The former has discussed the inland waterway situation in the same able manner he analyzes the railway and highway transportation, radio, and mining, elimination of waste in industry, and other important phases of our national commercial situations. The President himself is also lending his vital support to this great and productive program.

That our national waterways and the plans for their improvement are now being received favorably throughout the country—more favorably than ever before—is a matter of much gratification, I know, to all of you, who, like myself, have been connected with the work in one way or another for so many years. At the same time it imposes upon us the necessity for being particularly careful. We must not forget the old caution, "Beware when all men speak well of thee."

In addition to the construction of new works the War Department is charged with the protection of all our navigable waterways. Plans for any bridge over a navigable waterway must be approved by the Chief of Engineers and the Secretary of War before construction can be begun. These plans are carefully scrutinized, and changes in them are required if navigation through or under the bridge is not free, easy, and unobstructed, or if the interests of navigation are injuriously affected in any other way. Permits for wharf, pier, or dock construction, or any other work that extends into or over a waterway and which may affect its navigable capacity, are not issued until objectionable features are eliminated.

In recent years there has been an increasing public interest manifested in the fuller utilization of our water resources and a better realization of the values. This is undoubtedly due to our increasing population and our rapid agricultural and industrial development, which demand additional transportation and cheaper transportation. Congress appreciates that navigation is not the only use that can be made of our waterways and has provided by law for the consideration of these other possible uses. For many years the War Department, in reporting to Congress upon any proposed improvement for navigation, has given consideration to the possibility of combining a navigation project with the development of water power, and the 1917 flood control act, which governs the department in the preparation of plans for flood control, goes still further. Reports of the Army engineers cover flood-control matters and the possible combination of works for navigation with works for flood control and power development, and sometimes irrigation.

A comprehensive survey of the Tennessee River, with a view to its improvement for navigation and power, is being carried on by the department. This development will be a distinct asset to the country. Colonel Fiske, who has been in charge of the survey until recently, has prepared a paper on the subject, which will be read before the Congress, in the absence of Colonel Fiske, by Colonel Tyler.

Congress has already authorized large expenditures for flood control on the lower Mississippi and the Sacramento.

The Mississippi is plainly an interstate problem. Waters from many upper States are thrown upon the two States bordering the lower river. The United States and State organizations have cooperated in constructing the necessary works. The Sacramento is complicated by questions of navigation, flood control, irrigation, and mining debris. The question of flood control on certain other streams is now under consideration by authority of the Congress.

In studying proposed plans for port development, both at seacoast harbors and at river ports, the department has always been faced with the obvious fact that the creation of a channel in itself will not cause commerce to move or savings to accrue. It is necessary that there be adequate terminals properly designed and located, with suitable approaches connecting them with the main channel. It is necessary that there be adequate railroad and highway connections, warehouses, and the other apparatus of a successful port. And it is necessary that these elements be properly coordinated, and that terminal and transfer charges, switching arrangements, interchange facilities, and the like be such as to encourage the movement of commerce in an economical manner.

You can readily see that while the national plan is comprehensive and provides for the expansion of our great interior systems of waterways, it is out of the question for the Government to assume at one time the enormous financial burden that would be thrown upon it if we attempted to improve all waterways at once. It is essential that we use every effort and every dollar available to complete existing systems, such as the great Mississippi trunk line with its most important tributaries. This insures that the work will be performed in usable stretches with economy to the Government and that the people will reap the benefits in increased savings without undue delay. We are now making studies and surveys with a view to reporting to Congress upon improvements totaling in cost half a billion dollars. The economic situation must govern in each case. Some are sound investments, others are not, and some must await their turn and give way to others for which there is a pressing demand. In the final analysis the decision of Congress must govern in each case. The Army engineers, under the Secretary of War, make recommendations to Congress and execute the work after Congress authorizes the improvement and appropriates the funds. The Army engineers carry out the will of Congress loyally, regardless of whether their recommendations have been followed or not.

I will not delay you with a mass of figures and statistics giving in detail the amounts spent during the past year upon each harbor and waterway under improvement. These are matters of record and each of you is familiar with the facts concerning those improvements in which you are especially interested.

There is a matter that comes up from time to time which is worthy of your thoughtful consideration and study, and you can assist the department in securing a sound solution.

The river and harbor act of March 2, 1919, by imposing certain restrictions upon the letting of contracts, indicates that Congress intended that some Government plant was to be used and that contracts were not to be let at figures greatly in excess of the estimated cost of the work with Government plant. The contractors who are engaged largely in river and harbor work are doing satisfactory work at reasonable prices. They are awake to adopting modern developments in equipment for river and harbor work and have in general been willing to give the Government the benefit of the increased efficiency of their plant through reduction of prices. On the other hand, certain interests, mainly connected with other classes of work, are urging legislation which would prohibit the use of Government plant entirely and require that all work be done by contract. I am not in favor of purchasing or building up a huge amount of Government plant and equipment, but long experience with river and harbor work, commencing 36 years ago, has convinced me that the Government must have some plant of its own and must actually perform some of the work. You gentlemen are familiar with the character of the work and the conditions under which it is performed. I believe you will agree with me in the conclusion that any effort to impose rigid restrictions upon the means to be employed will result in delay and increased costs. The whole point is that we must be prepared to handle the work within a reasonable time either by hired labor and Government plant or by contract, and actually do it by the method which gives the taxpayer the best return for his money.

In conclusion, let me thank you for the opportunity you have given me to appear before you and discuss these subjects in which all of us are so deeply interested. Let me also congratulate you upon the results that have been accomplished by your congress. The department owes a debt of gratitude to you. Your constructive advice and sound recommendations have been of great benefit in the development of our national plan.

#### THE DIRECT PRIMARY

Mr. DILL. Mr. President, in view of the discussion of the primary question this morning, I ask that an article by former Senator Albert J. Beveridge on the primary be printed in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered. The article is as follows:

#### OF, BY, AND FOR THE PEOPLE—YES OR NO?

To make sure that the objection to the primary that it is hostile to our representative form of government, whereas the convention carries out the representative principle, is set forth accurately, let us take the exact language recently made use of by one of the most conspicuous foes of the primary and champions of the convention:

"If we follow the theory and plan of representative government laid down in our Constitution by providing for nominations by conventions, a better and more impartial class of candidates will result." The same assertion was often made, and more strongly made, when the great debate over the primary was going on some 15 or 20 years ago. We must remember that this whole subject was debated on the platform and in the press for several years, and debated more thoroughly than most public questions ever have been debated.

Charles Evans Hughes, then Governor of New York, answered the representative argument against the primary so easily and simply that the country was set laughing at those who made it. "We do not elect men to choose our governors and our mayors and the members

of our legislatures for us," he said in his famous speech on the primary, January 22, 1909. "We elect such officials direct," Governor Hughes continued. "Yet," said he, "these officers are none the less representative, and we have none the less representative government because we choose them by direct vote."

"If anyone were now to propose that we should elect a body of men to choose our governor for us, we would laugh at him," exclaimed Governor Hughes. "If anyone saw fit to argue that this was necessary to the maintenance of representative government, we should think the argument ridiculous."

"So," concluded Governor Hughes, "if we elect a governor by a direct vote of the people, how is it a subversion of representative government for the enrolled voters of a party to choose their candidate for governor by direct vote? If we elect an assembly man in an assembly district by a direct vote of the voters in that district, why should not the members of the party in that district decide directly who should be their representative as a candidate for the assembly? Is the one any the less representative government than the other?"

#### SAUCE FOR THE GOOSE AND THE GANDER

The audience saw the absurdity of such a claim and shouted approval, as the country did next day when the speech appeared in the newspapers. But Governor Hughes did not stop there. With good-natured cruelty he went on to the climax of his reductio ad absurdum: "The candidates of a party are the party representatives in running for office, as the elected officer is the representative of the people in discharging the duties of the office. If we are to make party government analogous to the General Government, then we should elect the party representative by the direct vote of the members of the party."

Much more of the same kind can be quoted from eminent publicists and scholars, men who all agree are well posted on the Constitution and on the theory and practice of representative government. But Mr. Hughes put it in a nutshell: If representative government requires us to elect delegates to conventions to choose our candidates, the same principle requires that our chief public officials shall be selected for us by the same means. Indeed, the reason for thus choosing such officers is much stronger than for naming candidates—as much stronger as the man in office is more important than a mere candidate for that office.

If representative government demands that candidates be designated by conventions, how much more does it require officials themselves to be chosen by conventions! Why stop halfway in our assertion of representative government? Why not go the whole length? Why leave out the last half, and the most valuable half? Why should the people do anything directly? Why not let conventions select our governors, legislatures, Congressmen, Senators, and other important elective officials, and have done with it? If delegates in convention have so much more honesty and sense than the people, why go to the expense of general elections at all?

Those who favor the convention would doubtless be willing to relieve citizens of the trouble of voting for any candidate, and, instead, select public servants for the people and put those officials into office out of hand. It would be a great saving of trouble, time, and money, would it not? To be sure, convention delegates would still have to be elected, but perhaps the managers would also attend to that detail for us.

How did it happen that the fathers who created our representative Government did not also provide for party conventions to carry out the representative principle, if conventions are needed or useful for that purpose? Surely those remarkable men who thought out and framed our Constitution knew as much about representative government as anyone knows to-day. Those men gave all their time, strength, and ability solely to the devising of a plan of free government, and they studied that subject from every point of view. Yet such a device as a convention to nominate candidates never occurred to them.

In fact, the very idea of a nominating convention was not even suggested for more than a generation after our Government was established. Our national Constitution was framed in 1787; it was ratified in 1788; and the Government it created was set up in 1789; yet the first attempt to hold a nominating convention was not made until 1831, when a few gentlemen met in Baltimore and nominated William Wirt as the anti-Masonic candidate for President in the anti-Masonic hysteria of that period. That convention was a fluke; it did not come from thought or necessity, but from a wild flurry of temporary excitement. Yet it was the beginning of the convention system.

The notion cropped out the following year, when an embryonic convention of all opposed to President Jackson nominated Henry Clay for President. They called themselves National Republicans, but when they became a real political party they took the name of Whig. Then, in 1832, President Jackson required the Democrats to hold a national convention for the purpose of forcing the nomination of Van Buren as Jackson's running mate. It was at this convention that the famous two-thirds rule was adopted which has cursed the Democratic Party to the present day, and may not have been without influence in bringing on the Civil War.

## EMINENT OPPONENTS OF THE CONVENTION

Jackson forced that two-thirds rule on the convention because he wanted it to appear that Van Buren was the overwhelming choice of the party and that his nomination was not dictated by the President; for, although Jackson was a party autocrat, almost as much as Jefferson had been, he did not want the voters to think so.

But the first party convention in the sense that we understand that word to-day was not held until 1835, when such a party gathering, under the mailed fist of President Jackson, named Van Buren as the Democratic standard bearer. Thereafter the party-convention idea spread rapidly and was adopted by both Democrat and Whig parties generally over the country, and by 1840 it was in full swing.

But the ablest and most experienced men in both parties opposed it. Conservative men generally thought and said that the convention gave the people too much power. It was not representative of the best thought of the Nation, they said, but, instead, was a departure from the theory of our Government and in direct antagonism to the American practice for nearly half a century. So Webster did not like the convention, and neither did Calhoun nor Crawford nor any of the leading statesmen of that time.

Yet if any man ever understood our representative form of government, Webster understood it; and to-day many informed, unprejudiced, and thoughtful persons believe that Calhoun understood it almost as well as Webster did. Personally, I doubt if either of those masters of constitutional law knew more about it than Crawford knew. Still all these men who were devoted to the representative principle were against the convention; and they accepted it only when the country had accepted it and it had become an accomplished fact.

The Whigs generally resisted the convention and took it up at last only when they had to do so as a measure of party self-defense. Illinois was the scene of the most typical struggle. In that State the Democrats adopted the convention because Jackson was for it, and largely as a means of enforcing party discipline. Stephen A. Douglas, who was a party leader in his State before he was 25 years old, insisted upon it, but Lincoln, then in the legislature, did not like the convention idea and voted against it whenever he had the chance.

Lincoln had such a chance twice: Once when the Democrats offered resolutions indorsing the convention—which resolutions Lincoln voted against—and once when the Whigs offered resolutions denouncing the convention—which resolutions Lincoln voted for. Twenty years after Lincoln cast these votes, and not long before his debate with Douglas, the Illinois State Journal, which always stated Lincoln's views and for which he wrote many editorials, expressed contempt for conventions as bodies where political manipulators worked their will. Presently we shall hear what Lincoln thought of party platforms.

So we see that the convention was never heard of until many decades after our Constitution was adopted and our Government founded; that the convention was devised by politicians as a means of easier party management; that the convention was then opposed by the foremost statesmen of that time and of our whole history. So if the convention is necessary to carry out our representative form of government, the fathers were culpably negligent in not providing that essential to the system they created, and the outstanding lawyers and publicists of our formative period were even more blameworthy for not accepting eagerly a method so indispensable to the execution of the representative principle on which our Government is built.

Still the convention was a great advance in the control of political parties by party voters and in the control of their governments—county, city, State, and National—by all the people. For that reason the convention would have come anyway, regardless of the politicians. At bottom, indeed, the convention was the result of a popular movement. When Andrew Jackson demanded the adoption of the convention he gave voice to the wish of the masses, who under the old system had had nothing to say about nominations of the candidates and not a great deal to say about the running of their own Government.

## THE OLD-TIME PARTY CAUCUS

In short, the convention was a long march forward in the ceaseless advance of the people toward their management of their own affairs, or, rather, toward their control of those they select to run their Government for them; or still more accurately, toward making public officials more responsive and responsible to the settled public will. In short, the convention was a development, a phase of the natural evolution of our representative Government, in that by means of the convention public officials were made more representative of the people than they had been under the practice that was followed before the convention and which the convention overthrew.

In a moment we shall see that the primary is the next logical phase of that evolution of representative government—just as logical, just as necessary, just as inevitable as was the development of the convention, and, in fact, much like that advance in our representative system.

How, then, were candidates selected before the convention came into being? They were chosen by party caucuses. There were variations, of course, and important ones, which should be made note of in a critical and meticulous treatment of the subject. To prevent con-

fusion, however, we shall confine this statement to the caucus system, by which, generally speaking, all important State and national candidates were chosen before the convention displaced the caucus.

In broad outline the caucus system was this: Members of a State legislature belonging to a political party met in a party caucus and nominated the party candidate for governor and other important offices in that State; and Senators and Representatives in Congress who belonged to a party met in party caucus and nominated that party's candidates for President and Vice President. There were modifications now and then; but speaking by and large, the above is a fairly true definition of the caucus system.

That plan had many advantages. For instance, it cost nothing. On the score of expense, which is the chief objection to the primary, the argument is much stronger for the ancient legislative and congressional party caucus than for the convention. Indeed, it might be asked why we should not go back to the caucus instead of to the convention, if we want to save money?

Then, too, the caucus was thoroughly representative of the party, and officially representative. Members of legislatures and of Congress were elected by their respective parties; and they kept in touch with public sentiment then, just as they do now. They wanted their party to win them, just as they want their party to win now. So they took plenty of time to look over the field and choose party candidates who were the best men they could find, and men who could get the most votes.

They had far more time to deliberate than members of conventions had or can have. They had the whole legislative or congressional session to confer and think matters over—several sessions, indeed. Also, the party caucus could wait until the last minute and take advantage of turns of public sentiment and other factors that influence nominations, and ought to influence them. Or the caucus could act long before the election—a year, two years, even three years before—name as the party's standard bearer an outstanding leader, and thus get the jump on the other party. In short, the party caucus could act at any time and in any manner required by the good of the party.

Moreover, there was no financial corruption in the old-time caucus during the time that it existed. In this respect it was infinitely better than the convention finally came to be. Every argument that can be made for the convention can be made with manifold more power, and a great deal more convincingly, for the caucus.

## A NEW USE FOR AN OLD ARGUMENT

With all these good features, why was the caucus system abolished and the convention system adopted in the place of it? For some of the same reasons that the convention was abandoned in its turn and the primary set up instead; although there are many more reasons for the primary and against the convention than there were for the convention and against the caucus.

The first and biggest cause for the overthrow of the caucus by the convention was that the party voters had no part in the management of their party, no voice in the selection of their party candidates. The party caucus was omnipotent. So people began to call it King Caucus; and the people were right, for King Caucus it surely was. Champions of the caucus said that it gave the party better candidates and the people better officials than conventions could give them; because conventions made up of delegates chosen directly by the party voters would meet for a short time only and select party candidates in haste. So there would be entirely too much popular impulse in conventions to serve the ends of good government, said the advocates of the caucus and the enemies of the convention. Do we not hear precisely the same argument to-day for the convention and against the primary?

But Jackson and other men, who really believed in the good sense and sound heart of the people, made answer that even if the caucus was all that was claimed for it, it still was not of, by, and for the people. Even if the caucus did result in wise officials and sound government, it did not produce a people's government; it did not furnish officials who felt themselves to be responsible to the people, but rather officials who felt themselves responsible to the caucus that gave them their offices. The only responsibility to the people was on the part of the members of the caucus—a vague and distant responsibility.

So, when highways became better, railroads were built, steamboats journeyed on river and lake, and travel became easier and cheaper, popular discontent with King Caucus grew into a revolt against that party monarch; and the people put him off his throne and set up the more popular rule of the convention, in which the people could take some part.

In this connection we must bear in mind that the old-time party caucus came to be run by party leaders of the same stripe as our modern party bosses, albeit the ancient caucus leaders were not venal and were well informed on public questions. But the party caucus was controlled by cliques, and thus it was still further removed from the people. Sometimes as few as two or three strong and adroit manipulators would, in the name of the party caucus, really nominate the party's candidate for governor, or even President.

We see, then, that at bottom the party caucus was abolished and the convention adopted because the people wanted to have some part in party affairs and in the people's government, which, in practical effect, some party ran. Indeed, the nonpopular nature of the party caucus was the sole cause of the overthrow of it. No other objection to it existed or was made. At a later period, when mighty corporations and financial interests grew up and sought unjust and nonpublic special privileges, those immense and resourceful forces would have made bargains with masters of the party caucus if it had still existed, just as they really did make such bargains with masters of the party convention.

But such concerns had not yet developed when the party caucus flourished. They were just beginning to appear, but they had not then reached even infancy when contrasted with the vast stature and strength into which they finally grew. At any rate, no charge was made against the party caucus that it was the tool of great wealth seeking to become still greater by wrongful privileges at public expense.

We can not have too firmly in mind the fact that the party caucus, with all its excellent features, was cast aside because it was too far removed from the people, and for that reason alone. The party caucus was representative in the sense and manner described, but it was not directly representative of the party voters. The sole reason that those party voters insisted on the party convention instead of the party caucus was that the party convention was more representative of the party voters, albeit the politicians found it to be a fine scheme to maintain party discipline and keep party voters in line.

So when the party convention finally was established it worked fairly well for several years. Some party voters actually did take part in naming delegates to the party convention—a large number of them while the convention was still new and not wholly controlled by manipulators. Still at the best the convention did not produce notably good results, except by accident two or three times.

For instance, the admittedly ablest men usually were refused nominations for the Presidency and admittedly inferior men nominated as party candidates solely because of availability. The strong party leaders had said or done things for the public good which, nevertheless, had offended this or that group of voters, whereas the colorless man had said and done nothing to which anyone could object.

Thus availability denatured the party convention almost from the beginning, and this availability was determined by the professional politician who appeared just at the time that the party convention came into being. In this fashion men like Webster, Clay, Cass, and Douglas were beaten in convention by comparatively small and unknown men.

Nevertheless, the convention had admirable qualities. For one thing, it brought political parties closer to the people, as we have seen. Then, too, the convention was at first disinterested, and actually sought to turn out good candidates and, whenever the politicians with the availability did not prevent, often did so. Moreover, the theory of the convention was sound; and it was only because that theory came to be ignored in practice that the primary took the place of the convention. In fact, the primary was an attempt to restore the convention theory.

That convention theory was that the party voters would really elect delegates to the party convention; that those delegates would thus be representative of the party voters and responsive and responsible to them; that these popular party delegates would meet and deliberate on party measures for the public good and choose as the party candidates the very best men to be found in the party who were willing to take the job.

Thus the theory of the party convention was closely analogous to that of the Electoral College provided in the Constitution to choose our Presidents. That constitutional plan was that the States should select the wisest and purest men they had for the purpose of picking out a President of the whole United States—a President of all the people. Those electors were to meet and select the outstanding character in the entire country to be its Chief Magistrate—the man who the majority of the presidential electors agreed had more ability, experience, courage, and honesty combined than any other man in the Republic.

#### MEN BEHIND THE CONVENTION

The party system which sprang up soon after our Government was established changed that plan which the fathers had so carefully devised and placed in the fundamental law of the Nation. In fact, the party system repealed that provision of our Constitution so far as the practical working of it went, and to-day, and for many decades past, a presidential elector is nothing but a party registering machine. He must vote for the presidential candidate of his party no matter how poor an executive the elector thinks that candidate to be. If a presidential elector to-day should do as the Constitution requires him to do, and cast his ballot in the Electoral College for the man he believes to be the best qualified for the place, and such a man was not the party candidate, that presidential elector would be denounced as a traitor to his party.

To the same extent, but in unlike manner and for different reasons, the convention theory was also reversed. This negative on the con-

vention theory came suddenly, historically speaking. After the Civil War the country entered a period of industrial expansion such as the world never had seen. Great railroads, which made those of the pre-war period seem trivial, were built; tremendous corporations, which in bulk and power were without precedent, sprang up; mighty cities were erected as if by magic; combinations of capital unheard and undreamed of before were formed; the trust appeared.

All this was a perfectly natural and necessary evolution; all was good for the country; all was required to serve the wants of our multiplying and far-flung population. But some of these prodigious interests wanted special privileges and special exemptions, sought them, got them—land grants, peculiar franchises, relief from the common burden of taxation borne by all the people and all other property, unrestrained control of markets, and unlimited power to raise or lower charges for transportation and the like.

Such things could not be had on their merits. So the strong and resourceful men at the head of these giant enterprises—and big, able, fearless men they were, real empire builders, most of them—got what they wanted in another way. They had to get it through government, and so they had to control government. That meant that officials in charge of the Government should be men who would do what the powerful men at the head of these vast private interests told those public officials to do.

Thus laws were passed or defeated, laws administered or neglected, as the captains of industry directed. But the only way this could be done was by having the right men nominated for office by party conventions. To accomplish this the party manager must be had, and he usually was had. So he developed into the party boss. Then came the alliance between this party boss and those interests which wanted nonpublic advantages.

#### THE MAILED FIST

At first this arrangement was not so bad in practical results, however indefensible it was in theory. Those interests ought to have had many things which they might not have secured in any other way; and they surely deserved to be protected from the schemes of dishonest legislators with open hands behind their backs, or from the wild and destructive proposals of ignorant and reckless demagogues. In fact, the partnership between the great corporations and the party bosses may have begun in that very way.

But however that may be, the fact is that a desire speedily grew up in the hearts of the powerful builders of mighty industries and managers of vast aggregations of capital to exploit the public and to get, through laws and the execution of them, or through the defeat of bills and the ignoring of statutes, what no man or corporation ought to have. So came about the corrupt control of party conventions by party bosses in the employ of nonpublic interests.

Party nominations were bought outright. It has not been so very many years ago that cash was paid on the spot to delegates in conventions. Cases were well known where delegates meant to nominate a certain man for the State legislature, but the night before the convention met agents of a senatorial candidate appeared with grips full of bills, saw the man who was to go to the legislature, and demanded a pledge to support the senatorial candidate, and when he refused, saw the delegates to the convention. Next morning another was nominated for the legislature.

Such things were kept out of the newspapers by the simple device of the rich man's buying public journals, and by the organization's saying to party papers that any notice of such doings would hurt the party. If the opposition party press said anything about it, it was denounced as partisan mud slinging, and no attention was paid to it.

In general, however, practices of this kind were not necessary. The party boss and his organization looked after party nominations far in advance. So we had corruptly sustained party machines in many States that cared no more for the Constitution and representative Government than they cared for common honesty. The party boss and his organization were as autocratic and ruled with as iron a hand as the Russian Czar, his nobility, and secret police ever did.

Sometimes two men of exorbitant wealth who lived in the same State who wanted to round out their careers by going to the United States Senate got into a political fight over the ambition for the same office. Both made use of the convention system; both built personal machines; both hired bosses to run those machines. The result was a debauch of corruption and crime well-nigh unbelievable to-day. Not only were nominations bought, but men were bribed, judges corrupted, even women were made use of, and once or twice there were killings. The extreme radicalism in certain sections at the present time is the result of a popular reaction to such foulness in the past generation.

But let us put aside entirely examples of direct action by rich office hunters in the old days and take the convention as it actually functioned then and functions now, even where corrupt interests did and do not interfere. How was the convention run then? How is it run to-day? Were and are delegates really chosen by party voters? Did and do they meet, deliberate, and select party candidates as the result of mature thought and independent judgment?

They did not. They do not. At least they did not and do not in many, many cases. The delegates were and are hand picked; they were and are elected by a tiny fraction of the party voters. For under the convention system nobody voted for convention delegates except a few members of the clique. Under the convention the largest number who voted for convention delegates was less than 8 per cent of the party voters and usually not more than 5 per cent of them. Under the primary from 25 per cent to 95 per cent of the party voters go to the polls.

After the delegates to a convention were thus selected, what happened when they reached the city where the convention was to be held? Did they consult and confer about candidates, honestly trying to find men best fitted for the offices? Did they register the consensus of their independent conclusions thus arrived at? Not much.

Take a State convention as the best illustration. Two or three party leaders sat in a room at the hotel, smoked cigars, and did the consulting, conferring, and concluding for the delegates; and when they had decided, passed out the word as to whom the delegates should nominate. And generally speaking, the delegates did as they were told. They had little or nothing to say or do, except to vote for those for whom they were told to vote. "Theirs not to reason why." To a great extent—a very great extent—this is done to-day.

#### CONVENTION HORSE TRADING

Suppose the bosses were easy bosses and did not hold the reins too tightly or show the maled fist, and clever managers seldom are openly rough, seldom crack the whip, seldom take the chance of needlessly starting revolt. On the contrary, such men allow as much leeway as they safely can. So the subleaders—the smaller bosses in charge of county or district delegations—were and are given a free hand in the selection of all candidates except the big ones, and even are gravely consulted about those.

Then what takes place? The convention meets. The band plays. The crowd assembles in the gallery, women nervous and in a flutter. The party war horses, old-timers and their wives, sit on the platform, images of fidelity. Party notables gravely walk on the stage, expecting, and often receiving, applause, albeit wholly perfunctory applause. The roll is called; great men make party speeches; more handclapping, unless the speech is too dull even for those whose business it is to approve with noise; finally the work of nominating candidates begins.

Any candidate always can get some votes at first—his county and district must stand by him as a matter of custom and party good manners. But such demonstration of local favor does not mean anything unless the candidate has made his peace—his deal—with the subleaders and, if the office is important, with the ruling boss or bosses. Finally the nominations are made, always with meaningless cheering. But meanwhile—from the moment the convention is called to order, and before—the county and district leaders are making their bargains.

Says one of them to another, "You want your man for State auditor, and I want my man for State treasurer. I'll give you so many votes for your man, if you'll give me so many votes for my man."

"That's reasonable," says the other county or district leader. "Just wait a minute till I see the boys; but don't worry, for it'll be all right."

Presently the two confer again for an instant. "I agree," says the one. "Done," says the other; and the nomination is made according to the bargain.

This is ordinary convention procedure at its best. I am assuming a case where no money passes and where there is no corruption, no dishonesty of any kind—not in law, at least. But it is what actually is done in the convention under the most favorable conditions; and it is done at the present moment. Within the past few months I was told by a district leader that he made such a deal with a brother leader of another district, and the two got their men nominated. The nominees were good men, too.

#### THE PENNSYLVANIA REVOLT

Such methods may turn out fine candidates and excellent officials, but they are not chosen by the representative principle. On the other hand, such methods may produce candidates who are mere tools of local bosses, and if elected are no more than the hired men of those whose agents the local bosses really are. In either case the candidates and officials are not the fruit of our representative form of government.

That was the main reason, at the beginning of the reform, that the convention was discarded and the primary adopted; just as the old-time party caucus gave way to the convention.

The time came when—even at its best, be it repeated—the convention was no longer representative of the party voters. So it had to go. The change began in Crawford County, Pa., nearly 70 years ago. For the same reason that it started there, the primary idea spread all over the country. But this growth of the primary was very slow. Professional politicians and the nonpublic interests that flourished in—indeed, dominated—political parties for several decades after the Civil War, fought the primary as hard as they could.

Also many others resisted the primary for the same reasons that Webster and Calhoun opposed the convention. It gave the rag, tag, and bobtail too much power they said—and these honorable and intelligent foes of the primary made use of the very same words, in stating their opposition to that popular advance, that the big men of bygone days had made use of when stating their objection to the convention.

To be sure we want to keep our representative form of government; of course, we want our parties to function on the representative principle. But representative of what? Representative of whom? Representative in what way? Representative of the people or of non-public interests? Representative of the party voters—of the women and men who make up the party and must elect its candidates—or representative of party bosses, party rings, personal machines? In short, do we want government of, by, and for the people, or government by our modern American ruling class—the professional politicians?

I ask this question in good spirit and on the assumption that these professional politicians are both straight and sensible, as, indeed, most of them are. I am taking it for granted that they, or the most of them, are fairly good men who have at heart the party welfare and the public interest. They wish, of course, to get through this and that scheme of their own, but such personal plans are not important generally and do not hurt the public very much.

But granting all this for the sake of argument, is the convention, run by these men, representative of the party voters, representative of the people? If it is in any degree, is it as much representative of the party voters and the people as the primary is representative of them? If not, the representative principal argument is all on the side of the primary and against the convention, is it not?

But take into consideration the fact that the convention is the easiest and cheapest way for dishonest wealth and venal men to work their will upon the public through the enactment of bad laws and the defeat of good laws, through the maladministration of good laws and the enforcement of bad laws, and we have a reason against the convention that is far stronger than any that has been urged against the primary. With all its defects, it is a great deal harder to manipulate the primary than it was and is to manipulate a convention; and the primary costs rich men and corporations infinitely more to get results than the convention cost them.

But we are told that the party platforms of both parties in many States have declared against the primary, and that these platform declarations bind members of legislatures to carry out such party pledges. This brings us to an examination of this device—the party platform—by which the professional politicians, nonpublic interests, and also many able, sincere, and disinterested men, hope to get rid of the primary.

What, then, is the party platform; how is it framed and adopted; how are such exceptional planks as the ones against the primary got into it? What figure does the party platform cut in elections, and how far are minor plank issues in campaigns or made note of at all by the voters?

With his amazing honesty and his curiously lucid mind—a lucidity which amounted to genius—Abraham Lincoln answered these questions more clearly, perhaps, than anyone else ever answered them. He was speaking of forcing a presidential candidate to state his position on every question, a practice out of which the party platform grew.

#### ABRAHAM LINCOLN'S ANALYSIS

"By means of it," said Lincoln, "measures are adopted or rejected contrary to the wishes of the whole of one party and often nearly half of the other.

"Three or four or half a dozen questions are prominent at a given time. The party selects its candidate, and he takes his position on each of these questions.

"On all but one his positions have already been indorsed at former elections and his party fully committed to them, but that one is new, and a large portion of them are against it.

"But what are they to do? The whole was strung together, and they must take all or reject all. They can not take what they like and leave the rest. So what they are already committed to being the majority, they shut their eyes and gulp the whole.

"Next election still another—party proposal—is introduced in the same way. \* \* \* Now, this is a process which we think is wrong."

Such was Lincoln's analysis of the trickery by which political parties are committed on public questions without the approval or even knowledge of party voters. And he never got over his distrust of such party pronouncements. Even when finally he joined the Republican Party, long after all other eminent leaders had rallied to its colors, Lincoln was suspicious of what might be done in its first national platform, framed at Philadelphia. He did not want Frémont nominated for President, but said that since he—Lincoln—was in one party, he would support even Frémont, unless the Republican convention platformed Lincoln out of the party by putting in planks that he thought wrong. (Italics are Lincoln's.)

Lincoln was an experienced and an able politician as well as an honest man, and he knew how schemes were smuggled into party platforms in an effort to commit the party to those schemes.

All of us know that this is done to-day even more than it was done in Lincoln's time. Just what is the process? A committee on resolu-

tions is appointed to draft and report the party platform. On all questions vividly before the people that committee states with fair accuracy the opinion of the rank and file of the party voters. But on new subjects in which the people are not interested the committee puts in all kinds of proposals. Usually these are innocent and are meant to placate noisy groups of voters. But often a very few determined men force into the party platform a pledge of which the party voters know nothing and which they would object to if they did know.

However, that splinter is in the party platform, and if the party wins at the election up bob those behind the trick and say that the people have demanded that the scheme be put through. Yet the campaign has been carried on and the election won on the big and immediate questions about which the voters were intensely concerned; not a word has been said by party speakers or newspapers about the new or the small matter which was inserted into the party platform in the manner described.

#### SLIPPERY PLATFORM PLANKS

No wonder Lincoln disliked such platform manipulation. When things of that kind, for which there is no party demand, are made a part of party platforms and nothing is said about them by party candidates or anyone else during the campaign—the party voters casting their ballots only on big questions—the honest and intelligent thing to do is to ignore such platform pledges just as the people ignored them at the ballot box, just as the party press and party orators, and especially party candidates, ignored them when appealing for votes during the campaign.

Otherwise all kinds of schemes can be promoted and put through Congress or State legislatures. The promoters have only to say—and they do say to party members of such bodies—"Why, it's in the party platform, and you're bound to support it as a matter of party loyalty."

Of course, there must be party platforms, but they should be brief, simple, and representative of the settled thought of the decided majority of party voters. To go beyond that is to make party platforms the political tools of little groups intent on some particular idea which those small groups think important, but which the great body of the party voters do not think about at all, or if they do, are against it.

A great outcry is made against political blocs, a clamor not wholly justified or altogether informed. On the whole, these blocs are bad things for the general good, although sometimes they are right. But the practice of putting into platforms the demands made by little groups for particular things that the party as a whole does not ask for and may object to—such a practice is the greatest nourisher of political blocs that anybody can think of. Lincoln saw that long before blocs developed, and said that it was senseless and wrong.

Now, let us go back to the convention which adopted the platform, or which is in theory supposed to adopt it. The platform committee brings it in. The delegates have no idea what is in it, except that it will set our party principles and the main features of the party program in accordance with the general sentiment of party voters. Some member of the committee reads the platform. Not many delegates hear what he reads, except those passages upon which he knows there is agreement among the delegates and which the reader knows will be greeted with applause. These planks he reads loudly and distinctly; other parts are not read clearly; and some, which managers know to be unpopular, are often read hurriedly in an undertone, and even mumbled.

The delegates have no idea what those parts of the platform are, and besides they are becoming impatient to get to the nominations, or at least the county and district leaders are in a hurry, if their deals have been made. So the platform reader gravely moves that the platform be adopted, and it is done, always without roll call. Nobody objects—there is no chance to object, even if a delegate had the nerve to do so. He would only make himself unpleasantly conspicuous if he could and did object, and he would be turned down, anyway, for he would be resisting the leaders.

But he can not protest; at least, he can not make effective objection. That has been attended to. The rules carefully provide that all proposals shall be referred to the platform committee without debate—a necessary procedure, no doubt, since it prevents disorder and delay.

But it also prevents objection to the platform in the convention; indeed, it closes the door to any inquiry into the platform. No matter what the theory, that is the way it works.

In this fashion many proposals and pledges are smuggled into party platforms without convention delegates knowing what they are, much less party voters. Cases have occurred within very recent years where such a thing was formally done by party conventions, and the first that the delegates learned about it was when they read the evening papers. Even indorsement of a favorite son of a State as its presidential candidate has been jammed into a party platform in this fashion. The indorsement was read so quietly and the convention was so noisy that only those on the inside were aware what was going on.

It was in such a manner that many platform declarations have been made against the primary. At best the proposed repeal or mangling of that great popular reform was jumbled up with a mass of other questions of more or less importance; and be it repeated, party speakers, party newspapers, and party candidates were careful to say nothing about it during the campaign. Yet it proposes one of the biggest changes ever made in the history of political parties; and demand is made of members of legislature to put the scheme through because it is in the party platform.

Would it not be fairer to submit so important a question to the people by itself? We who favor the primary would welcome such a test and abide by the result of it. If the primary is bad on the whole and the convention good on the whole, why not let the voters say so directly? Why not give them a chance to choose between the two systems, and choose without cluttering up their minds with other questions?

#### WHEN A GUN IS NEEDED

If it is said that not many vote at party primaries, the answer is that from five to ten times as many party voters get to the polls on primary day as the number who used to vote for convention delegates. A further answer is that at most times there is no reason for great interest, but sometimes there is the gravest reason for intense interest, and at such times the party voters throng to the polls. It is like the old saying about not often needing a pistol in Texas in former days, but when it was needed it was needed badly and at once.

In the limited space of a magazine article it is not possible to deal with all phases of so big a subject as the mode of choosing candidates for office. Many must be left untouched; only the more pressing ones can be taken up. Other aspects of the primary and convention are almost as weighty as those I have tried to examine; some may think them of greater moment. For example, the effect of primary or convention on women—in practical effect the convention disfranchises women; or on workingmen—the convention gags them, and, still worse, gives the venal labor leader his chance; or on school-teachers—the convention ignores them entirely.

To sum up, the heart of the question is: Do we want a government of, by, and for the people? Yes or no!

#### INTERIOR DEPARTMENT APPROPRIATIONS

Mr. SMOOT. I ask that House bill 14827, the Interior Department appropriation bill, be laid before the Senate and proceeded with.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14827) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. SMOOT. I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered.

The VICE PRESIDENT. Without objection, it is so ordered.

#### RECORD OF FACTS ABOUT MELLON, FALL, DOHENY, AND SINCLAIR

Mr. HEFLIN. Mr. President, the press on yesterday contained a statement from the Secretary of the Treasury, Mr. Mellon, regarding his connection with Jess Smith and the bootleggers and breweries, a matter referred to by me in a speech on Monday. I wish to say, Mr. President, that Mr. Mellon's name was connected with bootleggers and breweries in this matter not by me but by one of the prominent and at one time very important and serviceable Republicans of the Harding administration, Jess Smith. He is the man who told confidential friends that Secretary Mellon had loaned the Republican National Committee \$5,000,000 and that \$3,000,000 of it had been paid back. He said that he had been selected to arrange with the Republican United States district attorneys to collect from bootleggers and breweries the other \$2,000,000 with which to finish paying the loan made to the Republican National Committee by Secretary Mellon.

This matter first came out in court proceedings at Mobile, Ala., and was told by a Republican district attorney, Aubrey Boyle, of Mobile, who was appointed by President Harding. This same testimony regarding the Mellon loan was brought out and printed in the hearings before the Senate Judiciary Committee in April of this year. Secretary Mellon did not deny the truthfulness of the statement then and has not denied the truthfulness of it since I read it in the Senate on Monday. When shown the newspaper containing the statement, he waved his hand, looked uneasy, and said it was a delirium. Secretary Mellon can not dispose of this serious matter by merely muttering one of his "Overholt"-inspired expressions, "delirium."

Oh, distiller of beer, wine, and rum,  
Mellon, thy name is "Delirium"!

[Laughter.]

Mr. President, this man who is holding up tax reduction in order to play Republican politics with it in 1928, and who is now permitting hundreds of tax cases to go by without attention so that they will be barred by the statute of limitation on the 15th of March, is worried about the Jess Smith story.

Those being thus taken care of are special favorites, and they are cheating the Government out of millions of dollars. Secretary Mellon has already handed out secretly to big taxpayers over \$600,000,000, and now undertakes to wave aside his connection with the bootleggers and the breweries in the matter of raising campaign funds for the Republican Party.

He is not only the president of the Aluminum Trust, but he is one of the three richest men in the world. Because of the wealth that he has he holds the position that he does to-day. He is the mouthpiece of the predatory interests of the country. But for the money bund back of him and his own ill-gotten gains he would not hold the place that he holds to-day.

Now, Mr. President, I wish to read from the Washington Post of this morning a reference to myself by Hon. Martin W. Littleton, who is representing Mr. Sinclair. Mr. Littleton is one of the ablest lawyers in the United States; he is a very gifted and brilliant attorney, one of the very finest in the country. I am not surprised that this shrewd and able lawyer should cry out against anybody throwing chunks in the way of an acquittal of his client just after the farcical and miserable verdict rendered in the Fall-Doheny case. He probably feels that he has a right now to feel that the way has been cleared and everything has been arranged for a wholesale discharge of this whole criminal bunch. But, Mr. President, without reflecting upon my friend, Martin Littleton, the very able and brilliant lawyer in the Sinclair case, I desire to say that it shows how smart and shrewd Sinclair is to employ as his attorney one of the brainiest and very best lawyers in the country. However, in order that the record of this case may be kept straight, Mr. Sinclair being guilty along with Doheny and Fall, I want to read some excerpts from an editorial in the St. Louis Post-Dispatch. I will not read it all, but will print the most of it in the RECORD. I merely wish to read a part of it in the outset.

#### A DISGRACEFUL VERDICT

The verdict of the criminal conspiracy case against Fall and Doheny is a disgrace to America. It is not only disgraceful but disquieting in the tide of official corruption that is sweeping over the country.

The acquittal of these two men is irreconcilable with the facts and the theory of justice. \* \* \* Fall sulked like a criminal, avoiding the witness stand. His conduct was a confession of guilt. \* \* \* The jury acquitted them of the charge of criminal conspiracy, but it did not vindicate them nor abate one jot or tittle of the charge of corruption. They are convicted at the bar of public opinion. They are branded with the mark of men who bargained to plunder their country. They have not escaped punishment.

I now ask that the portion of the editorial which I have marked may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

[From St. Louis Post-Dispatch]

#### A DISGRACEFUL VERDICT

The verdict of the criminal conspiracy case against Fall and Doheny is a disgrace to America. It is not only disgraceful but disquieting in the tide of official corruption that is sweeping over the country.

The acquittal of these two men is irreconcilable with the facts and the theory of justice. It is irreconcilable with the decision of the Federal court that the Elk Hills transaction was "saturated with fraud," a conspiracy to defraud the Government, and that the leased oil lands should be turned back to the Government.

\* \* \* Fall sulked like a criminal, avoiding the witness stand. His conduct was a confession of guilt.

Whether technically guilty of criminal conspiracy or not, the bare facts supply convincing evidence of conscious crookedness. The whole transaction was accomplished in the furtive manner of the crook. It was secret. The so-called loan to Fall was delivered by special messenger in cash, in the familiar black bag of conventional bribery. The note of Fall to Doheny was mutilated so that if one part of it fell into other hands it could not be used as evidence. To cap the climax, Doheny admitted that he expected to make \$100,000,000 out of the transaction.

The plea of patriotism used to camouflage this rotten transaction and give it the false color of service to the country is one of the most conspicuous examples in history that justifies Dr. Samuel Johnson's definition of patriotism as "the last refuge of a scoundrel."

We are not at all astonished at the remark of Senator NORRIS, paraphrasing a remark by Prosecutor Heney, of San Francisco, that

"you can't convict a million dollars." We may add, in view of the scandalous Daugherty case, that you can't convict rascality in high office when it is buttressed by money and influence.

Both Fall and Doheny rejoiced at their "vindication" by the jury. The jury acquitted them of the charge of criminal conspiracy, but it did not vindicate them nor abate one jot or tittle of the charge of corruption. They are convicted at the bar of public opinion. They are branded with the mark of men who bargained together to plunder their country. They have not escaped punishment.

Mr. HEFLIN. Mr. President, I would not interfere with the instrumentalities of justice. I am pleading for justice. I want justice done by the Government. When I say "the Government" I speak of the institutions of a hundred and odd million people. I want the fair and right thing done. I want to see love of right principles and true allegiance to our country manifest themselves more and more in the Nation's Capital. Only good can come from fair and just criticism of public officials. It makes no difference whether they are Senators or judges. The creator is greater than the created. We are the representatives of the people, and we create courts. If a creature of Congress does not conduct itself aright, it should be criticized by Congress; and if it can not be made to conduct itself aright, it should be put out of business by the Congress. I am speaking now of the condition that exists in the District of Columbia. I am going to keep on saying that Fall and Doheny would never have gone to trial here if they had not known in advance that they were not going to be convicted. I will not say they knew an acquittal was coming, because I did not believe they had the gall to bring about an acquittal. I thought they had things fixed for a mistrial, as I said the other day, to continue the case from year to year until the people lost interest in it and it was forgotten.

Now comes Mr. Littleton, the brilliant lawyer for Mr. Sinclair, and says, "At last when we are ready for trial we hear a Vesuvius breaking forth at the Capital, in the Senate, besmirching the whole situation."

Well, Mr. President, this brilliant lawyer makes an interesting suggestion when he says, "At last when we are ready for trial." They have not been ready before. During all these months they have waited—"getting ready," I suppose—and now they are ready for trial. Coming in right on the heels of the Fall-Doheny verdict they announce they are ready for trial. I do not wonder that the attorney is displeased when a Senator dares to insist that the truth be known about the oil leases to Sinclair and Doheny. Mr. President, a great many citizens feel that there is not enough said here about the crimes and scandals at the Capital. The patriotic citizen is beginning to fear that the criminal rich are getting a strangle hold on the throat of the Government. With official corruption and crime holding sway at the Capital the patriotic citizen may well tremble for the safety of his country.

There is graft; there is corruption; and there is scandal all around us. And if we fail to denounce them and to fight them we are unfaithful and unworthy public servants. The audacity and brazen boldness with which these crooks and criminals flaunt themselves and their criminal conduct in the face of decent men and women in Washington, undisturbed by Republican officials, is a disgusting and dangerous sign.

I was thinking last night about the Republican convention—1920—that nominated Mr. Harding for President, and what the able Senator from Idaho [Mr. BORAH] said in a speech there. He said: "The things that I see here remind me of the degenerate days of Rome, when the emperorship was put upon the auction block and sold to the highest bidder." He had reference to the money that was being expended to bring about the nomination of a Republican candidate for President. That statement was made by a Republican Senator. My! My!! Just think, Senators, of the crimes and scandals that have come out of the corrupt administration provided for in Chicago in that smoke-filled room about which Harry Daugherty told us. Jake Hamon, now dead and gone, who helped to make money the controlling force at Chicago was to be in the Harding Cabinet. Albert Fall was to be made Secretary of the Interior to do just what he did do. Edwin Denby was to be made Secretary of the Navy to do just what he did do. Albert Fall was removed from office by Grover Cleveland in the years that are gone. Edwin Denby was on the commission to investigate the Ballinger case when Ballinger was the Secretary of the Interior and manipulated a coal deal with the Guggenheims, and bartered to the coal king thousands of acres of the best coal fields in the world for a mere song to the Government. They investigated Ballinger, and Denby was on the committee—he was a Member of the House at that time, and I also was in the House—and Denby voted to acquit Ballinger, to whitewash him for the crime that he had committed. So, knowing Denby's instinct and inclination along these lines, Denby was selected to

act with Fall, another one they knew they could rely upon; and these two men manipulated this deal, through which they bartered the Nation's oil reserves—worth between \$200,000,000 and \$300,000,000.

Mr. President, how did they go about it? Robison, then a captain, I believe, in the Navy, was promoted in order to be put in charge of this infamous deal. Admiral Griffin, an able, strong, honest man, was in charge of the oil reserves. He favored holding them for the Government. He was of the age to retire, and it was suggested to him that he retire. They hurried him out in order to get Robison in his place as quickly as possible. They immediately promoted Robison and made him an admiral and put him in charge of the oil reserves. He was the only man in all the Navy who favored this thieving deal. Senators, is it not plain to everyone that he was selected for the purpose of putting over this Government steal? Prior to this, while he was upon a Government vessel, Doheny's son, strange to say, went out to visit him, boarded his ship and spent several days with him, and after their secret conference came back, and Robison was promoted and put in charge of the oil reserves, and the deal went through.

What do we see down in New Mexico? Mr. Fall, who has been hard up financially for years, his place going down, needing repairs, but he can not get the money needed. Doheny did not come to his rescue then, but when Fall helped Doheny to buy the Nation's oil reserves we find the repairs being made on Fall's ranch in New Mexico; we find he buys another ranch, and that he has spent over \$100,000 down there. Then the question arose, "Where did he get the money?" The Government's oil lands had been sold, and they commenced to inquire. Fall and Denby had negotiated the steal. Fall was asked by a Senate committee where he got the money. Now, listen, Senators: What did he first say? He said: "I got the money from Ned McLean"; and what did Ned McLean say? He said: "I let him have the money." Then, when Wilton Lambert, one of the best lawyers in the country, talked with Ned McLean and told him that he probably would be sent to the penitentiary for perjury, that he could not show that he let this man Fall have that money, Ned McLean backed off and said: "No; I did not let him have the money." But what did Fall say? He wrote a letter to the committee. He said: "You ask me where I got this money, who furnished me this cash—Hon. Ed McLean." Why he ever called him "honorable" God Almighty only knows [laughter], unless he was the presiding genius of the "little green house," and therefore they gave him that designation [laughter]; but he called him "Hon. Edward McLean." He said, "He furnished me"—get the language—"He let me have the money; he furnished me the cash."

Senator WALSH of Montana questioned McLean when he went on the witness stand.

"Did you let Fall have any cash?"

"No, sir; I never let him have any money at all."

"How did you let him have it?"

"In checks."

"Were the checks ever cashed?"

"No, sir."

Now, think of that! So he never let him have the money. Then Fall lied in the outset; he never got any money from Ned McLean. Ned McLean says he never let Fall have any cash. Ned—poor Ned!—had figured out that he could say he gave him checks and that nobody would have sense enough to ask if the checks were ever cashed. Finally, when they confronted Mr. Edward, honorable Edward, with the penitentiary for perjury, he backed off and said, "No; I did not let him have any money at all. It is all a fixed-up story." Then Fall writes another letter to the committee and says, "Ned McLean has told the truth; he did not let me have any money." So they caught both of them sneaking around and lying.

Now, then, what does Mr. Fall do? I have the hearings right here before me. I read them last night. He wrote a letter to Price McKinney—a clean and honest man in Cleveland, Ohio, I believe—and asked him in the letter to say that he loaned Fall the money, the \$100,000; and Price McKinney did not answer the letter. Fall grew nervous. The Ned McLean scheme had fallen down. It had gone to the bow wows, where it belonged. Fall grew more nervous. He said, "Won't you come to my rescue? Won't you say that you loaned me this \$100,000?"

Here is what was going on in his mind: "I have expended this money. I have got to account for it. I have made improvements. I have bought more land. Everybody is talking about it. I have got to explain where I got the money. Won't you say you let me have it?" And Price McKinney did not answer the letter.

Listen, Senators! Then Fall sent his son-in-law, Mr. Chase, up to see Price McKinney; and Chase asked Price McKinney, for Mr. Fall, to please say that he loaned Fall the \$100,000; and Price McKinney said, "No; I did not loan him a hundred thousand dollars or any other amount, and I am not going to say I loaned it to him."

Now, Senators, there is the statement. "What else," Senator WALSH asked Price McKinney, "did he say in the letter?" "Well," he said, "I want you to say that in 1921, when you and I went out on the train through the West into New Mexico, you loaned me the \$100,000 in money on that trip"; and Price McKinney says the oil-reserve matter was not even mentioned to him by Fall on that trip. And yet Fall, the man who has been turned loose, covered all over with the filth of his guilt, tried to get Price McKinney to tell a lie for him just as he had done with Ed McLean. That is the man who has gone free with a verdict of acquittal on his back after committing this heinous crime, after betraying his trust, betraying his Government, selling out its property, profiting by his infamy. He is acquitted by a jury in the District of Columbia; and these hired and villainous newspapers of the subsidized press misrepresent and criticize me for daring to stand in this place and speak out for the honest men and women of the Nation.

Mr. President, after Fall failed on his infamous scheme to have Price McKinney to swear falsely and say he had loaned him the \$100,000, why, Doheny appears on the scene and says that he, out of his long-standing friendship for Fall, had loaned him the \$100,000. Then it was shown that Doheny's son had taken the \$100,000 in cash from New York to Fall down in New Mexico. He carried it to him in a black satchel.

Doheny said that he had taken Fall's note for the \$100,000, and when the committee asked him to produce it he could only show scraps of it, showing that he had torn it up and that the \$100,000 was bribe money that Doheny had paid to Fall for his infamous part in stealing the Nation's oil resources.

What else, Mr. President?

I see that the Washington Post says that Mr. Fall has employed Mr. Leahy, an attorney of Washington, to represent him. It will be well to bear in mind, Mr. President, that Mr. Leahy is the attorney who was employed by the Department of Justice to prosecute the case against Senator WHEELER when they were seeking to get even with him for showing up the corruption in the Department of Justice; and Senator WHEELER rendered a great service to the country when he uncovered the scandal and the crime of that department. I am reliably informed that this same man Leahy, while he was thus employed by the Department of Justice in the Wheeler case, was retained by John T. King, codefendant with Harry Daugherty, to defend King in the so-called Daugherty-Miller-King case, which was tried in the city of New York. Is it just a coincidence that Leahy, a friend of the Department of Justice, should have been retained by John T. King to defend him while Leahy was an employee of the Department of Justice? Is it a coincidence that Albert B. Fall should employ this same man Leahy to defend him in the criminal case which is coming up here in Washington?

To me, these are significant facts tending to show that the Department of Justice in Washington is not unfriendly to these defendants.

Now, I am going to say something that I hinted at before. I have not seen a single instrumentality of justice under the control of this administration honestly, sincerely, aggressively in action against these criminals; and I say it with shame and humiliation. Those in high place are not bestirring themselves against these criminals. Has the power of corruptionists and rich criminals who contribute to the campaign fund of the Republican party secured immunity from prosecution? If men who are sworn to discharge their duty as high Government officials can be permitted to violate their oaths and squander the property they have sworn to protect, and then be smiled upon and patted on the back by those who control the Government of the United States, we have fallen upon dangerous times, Mr. President. God speed the day when we will have a new order of things at the Capital, when every Senator will feel free to stand up and speak, when the Members of the House will not be afraid of sinister interests and subsidized press, when both bodies will rise in solid phalanx, and move against anybody who betrays a trust and shows himself to be a crook and a criminal. We have got to reach that time, Mr. President.

My friend Littleton, attorney for Sinclair, wonders why I continue to speak upon this important matter. It is a question of great concern to the whole American people. Doheny swore that he expected to make \$100,000,000 profit on the deal. Think of it, Senators! What are we coming to? Through a secret and corrupt conspiracy a big, rich criminal like that, with his minions all around him, walking and strut-

ting in the streets of Washington and boasting that he has made or will make a hundred million dollars on the deal—and he is given his freedom by a rollicking, cursing, swearing, dice-throwing, card-playing boy jury, playing a phonograph!

Oh, Mr. President, somebody must have had an eye to business when they furnished this particular jury with dice. Somebody must have had an eye to business when they furnished them with a deck of cards. Somebody must have had an eye to business when they placed a phonograph in the jury room; and then, Mr. President, how delightful it must have been when the young jurors commenced to sing a certain song so that Doheny's and Fall's attorneys outside could get the signal that no conviction would be had, as they sung: Bye-bye, Blackbird! [Laughter.]

That song, in my judgment, was a signal. It was saying to them in a song what they might have said if they had had a chance: "It is all right; we are not going to convict you." So, when the Bye-bye, Blackbird song had been agreed upon and these fellows, alert and listening on the outside, heard the sweet strains of that melodious song floating on the night air—Bye-bye, Blackbird—they said, "Go home and go to sleep, Doheny and Fall; all is well."

That is the jury that threw away the Government's case at the Capital of the Nation, and that is the jury's verdict on which I am asked to remain silent. That is the verdict that I am asked to respect against the mountain of undisputed facts that loom up in this case. They tower to high heaven. They can not be obscured; and the people of this Nation are going to know the truth.

Mr. President, any man who tells me that he indorses the verdict in the Fall-Doheny case is going to shake my faith in both his intelligence and integrity; and I will come mighty near placing him where he belongs, right along with Fall and Doheny. He is not a bit better than they are. The sooner we draw the line between good citizens and the corrupt and criminal element in this country the better it will be for us and our country. We must put down these criminals in high places or the Government is doomed. We can not continue the Republic with thieves striking at the very vitals of the Government. We can not have respect for law and order among the citizens of the country when those they have elected to high office turn out to be scoundrels and thieves; and patriotic citizens are not going to respect you and me, Senators, unless we cry out against them and show that there is still to be found here at the Capitol honor and integrity in public men who love and serve their country.

Mr. President, I feel it to be my duty as a Senator to do my bit in protecting the rights and interests of the American people. I spoke in favor of and voted for a resolution which declared the leases made to Doheny and Sinclair by Fall and Denby were obtained through fraud and corruption. That resolution passed the Senate unanimously. Eighty-nine Senators voted for it, and I am going to put the roll call in the Record. There was not a single dissenting vote. This is the resolution that dealt with the Fall, Denby, Sinclair, and Doheny crowd:

Whereas it appears from evidence taken by the Committee on Public Lands and Surveys of the United States Senate that certain leases—

Here is a list of the Nation's oil reserves. I will not read it—were executed under circumstances indicating fraud and corruption; and

Whereas the said leases and contract were entered into without authority on the part of the officers purporting to act in the execution of the same for the United States and in violation of the laws of Congress—

Mr. President, I am reading from an indictment the Senate drew in the name of the people of the United States, 89 Senators voting for it, and not a voice raised against it. That is the indictment they drew against these bold and brazen criminals. Listen to this—

Whereas such leases and contract were made in defiance of the settled policy of the Government, adhered to through three successive administrations, to maintain in the ground a great reserve supply of oil adequate to the needs of the Navy in any emergency threatening the national security.

And now listen to this, Senators:

Therefore be it—

*Resolved, etc.*, That the said leases and contract are against the public interest and that the lands embraced therein should be recovered and held for the purpose to which they were dedicated; and

*Resolved further*, That the President of the United States be, and he hereby is, authorized and directed immediately to cause suit to be instituted and prosecuted for the annulment and cancellation of the said leases and contract and all contracts incidental or supplemental thereto,

to enjoin the further extraction of oil from the said reserves under said leases or from the territory covered by the same, to secure any further appropriate incidental relief, and to prosecute such other actions or proceedings, civil and criminal, as may be warranted by the facts in relation to the making of the said leases and contract.

And the President is further authorized and directed to appoint, by and with the advice and consent of the Senate, special counsel who shall have charge and control of the prosecution of such litigation, anything in the statutes touching the powers of the Attorney General of the Department of Justice to the contrary notwithstanding.

Approved, February 8, 1924.

Mr. President, I am standing exactly where I stood when I helped to secure the passage of that resolution.

I said, Mr. President, these are the criminals who are now on trial for a high crime against the Government; they are the criminals against whom that indictment was drawn by the Senate of the United States.

Now, in this connection, let me read a decision rendered by the Circuit Court of Appeals of the Eighth Circuit, and written by a Republican judge who used to be an honored member of this body, a clean, able, and courageous man, Judge Kenyon. Listen to what he says about this steal of the nation's oil reserve. He had all the facts before him—the statements of Doheny, Sinclair, Fall, Denby, and Admiral Robison—all before him, and here is what this Republican judge said in concluding the decision of the court:

As our conclusion is that the leases and contract were procured through fraud and corruption, each of the appellees is a mala fide trespasser on the Government lands, and therefore no credit for expenditures can be allowed any of them by the court, and a full accounting of the value of the oil extracted must be rendered.

That is the decision of the judge of the circuit court of appeals in this case. Is it any wonder, then, that a Senator dares to stand here and speak for his Government against these criminals?

Mr. President, lest I forget it I want to digress for a moment here to say that it was during the time of this oil scandal investigation that Mr. Mal Daugherty came upon the scene, and a committee of the Senate went out to investigate his bank to see where Harry Daugherty had stored the funds he had gathered through the instrumentality of Jess Smith. They would not let them examine the bank. Mal Daugherty refused to testify before a Senate committee to tell what he knew. When the committee ordered him to testify an appeal was taken. The appeal is in the Supreme Court; and may I be pardoned as an American citizen and a United States Senator if I ask why the Supreme Court has not handed down a decision in that case? That case has been in the Supreme Court for more than two years. That particular case, because of its immediate importance to the Government, ought to have been decided in 30 days.

Delay in a case of that kind is exceedingly dangerous. Harry Daugherty has had time to move every dollar he had in his brother's bank. His brother, Mal Daugherty, has defied the Senate of the United States. He refused to talk or to permit his brother's bank account to be examined. The Supreme Court ought to have handed down the decision in this case a long time ago. I suppose I will be criticized for saying that, but what do I care about criticism when I know I am right. I do not object to constructive criticism. Any public man should welcome it, and I do.

Mr. President, I want the patriotic people in Washington and throughout the country to know the facts in the Fall-Doheny case and I am going to give them to them from the floor of the Senate.

I am receiving letters from men and women from every State in the Union indorsing my position and thanking me for expressing their sentiments in regard to this matter. These letters are encouraging and they are appreciated. If we yield to the pressure that is being brought to bear about this Capital the day is not far distant when it will be difficult to find many Senators who will dare to rise in the Senate and criticize corrupt and criminal interests because certain subsidized big daily newspapers will frighten them off. The New York Times will attack them in editorials as it did me and the able and honest Josephus Daniels, the former great Secretary of the Navy, who expressed regret at the Fall-Doheny verdict and who denounced it as I have. It criticized us and quickly sent an editorial here into the reading room of the Senate that Senators might see and be warned that if they wanted to be pounced upon and pounded by a big daily they had better refrain from attacking the big crooked interests of the country.

Of course, the New York Times did not know, when it was jumping on me, that I knew that it was largely owned by British capital. Let them work on that nut for a while.

[Laughter.] Some of the other big dailies that are so close to other big interests that they dare not speak out too boldly have been letting this farcical Doheny and Fall verdict down easy. They are indorsing it in a way as far as they feel it is politic for them to go just now.

Oh, Mr. President, Jefferson was right when he said, "When the people can read and the press is free the country will be safe," but anyone intelligent enough to see what is going on here at the Capitol knows that the whole press is not free. Some of it is free. There is a large portion of it whose articles go out from this Capitol shaped to suit and serve the questionable interests of the country. They warp and twist their stories so as to make unintelligible the truths uttered here. They purposely condense and indulge in sarcasm in such a way as to prevent the reader from knowing just what certain Senators say. When one dares to assail entrenched privilege and speak out against predatory interests and dares to denounce crooks in high places, they either ignore him or mess up the report of it so that no intelligent man could tell what he was talking about. That is true of that portion of the press which is subsidized, and their agents are busy here every day trying to boost and help those who are the friends of crooked interests, and trying to hurt and destroy those who are faithful to the people.

Some of the press I compliment. Some of it is honest and fair. More power to that branch of it. But more condemnation and scorn to the other corrupt and crooked part of it.

The Wall Street Journal, assailing me the other day and praising Doheny and Fall, showed by its attack that it knew nothing about the facts in the case. It simply had to come out and clap its hands for joy, and then hold its hands out behind its back and say, "I thank you." They are seeking swill. I put a little poem in the RECORD the other day that read like this:

You hear a noise like thunder roar  
O'er plain and field and hill;  
It is the music of hungry swine  
Petitioning for swill.

[Laughter.]

That fits the Wall Street Journal—Mr. President, what do I care for their attacks? Whenever one of these hired agents of the crooked interests attacks me, I know that I am right in the position that I have taken.

Shakespeare uttered a noble and beautiful sentiment when he said:

Let all the ends thou aim'st at be thy country's,  
Thy God's, and truth's.

And the great Ben Hill, of Georgia, uttered a beautiful sentiment when he said:

Who saves his country saves all things,  
And all things saved do bless him;  
But he who lets his country die  
Let's all things die,  
And all things dying curse him.

Mr. President, it is the patriotic duty of every Senator to cry out against corruption and crime wherever found in the Government. The honest and patriotic men and women of the country are looking to their Members of Congress in the House and in the Senate to speak out against graft, corruption, and crime at the Capital. The man chosen to come here to represent the people of his district or his State who does not join and speak out in the crusade against corruption and crime at the Capital is failing in his duty—he is refusing to throw his influence on the side of those who are seeking to drive from the Government and to punish those who have shown themselves to be crooked and corrupt.

The Government belongs to the people and we are their representatives, sent here to look after their rights and interests. We have sworn that we would protect and defend those rights and interests against all enemies, both foreign and domestic. But we are not properly defending them when we sit here in silence and permit men with millions to insult every principle of national decency and violate every principle of national honor and justice, and, because they are rich and politically powerful, permit them to carry on their corrupt and criminal schemes right here in the Capital of the Nation. The voice of a patient, long-suffering, and outraged people is crying to us to wake up and speak out against the increasing corruption and crime at the Capital. If our free institutions are to live, these dreadful conditions must be destroyed. God help us to hear and to heed that voice.

Mr. HEFLIN subsequently said: Mr. President, I have some letters here which I ask permission to have printed in the RECORD as a part of my remarks this morning.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letters are as follows:

WHEELING, W. VA., December 18, 1926.

Hon. Senator HEFLIN,  
Washington, D. C.

SIR: Accept my good wishes, and may God bless you in your noble remarks on the Fall and Doheny conspiracy case. You voiced public opinion.

Long life to you.

A. V. FISHER,  
4001 Jacob Street, Wheeling, W. Va.

WARRENSBURG, MO., December 17, 1926.

Hon. J. THOMAS HEFLIN:

In reverence and sincerity we thank God for the courage given you, Senator HEFLIN, to pronounce the plain facts in your speech yesterday. You have spoken for us and for all honest persons of intelligence the country over.

We, too, saw the outcome from the beginning, our eyes having been opened long since, but our voice is naught when raised against such evil power, and the devil knows no shame. But you have been our mouthpiece! Thank God for you!

BROOKLYN, N. Y., December 17, 1926.

Senator J. THOMAS HEFLIN,  
Washington, D. C.

DEAR SENATOR: Your speech on the Fall-Doheny case created a sensation here. These people up here love a man that's game enough to speak right out, and they are much scarcer in this section than in others. I have heard much admiration among both Republicans and Democrats of your fearless and very timely speech.

If consistent, I would thank you to mail me several copies of this speech, when printed, and in justice to the country and yourself, I think you should have it printed and sent out in large numbers.

With greatest respect, I am,  
Yours truly,

F. H. THOMPSON,  
Care of Spick Food Co., 167 Forty-first Street, Brooklyn, N. Y.

ST. LOUIS, MO., December 17, 1926.

Hon. J. T. HEFLIN,  
United States Senate, Washington, D. C.

DEAR AND HONORED SIR: I have been voting the Democratic ticket for 50 years, but have been much discouraged by the ineffective work of our leaders since that great statesman, Woodrow Wilson, passed away. To-day I am thrilled by your great speech about the disgraceful, yes, criminal acquittal of the traitorous scoundrels who should pass the remainder of their lives behind the bars. I can not express my deep appreciation of your fearless, patriotic, and eloquent speech. I wish I had the opportunity to vote for you for President. More power to you, dear Senator! Give us more of the same sort and stir up some of your Democratic associates to help you in your splendid work.

Sincerely,

EDWARD S. LEWIS.

GREENWICH, CONN., December 17, 1926.

Senator THOMAS HEFLIN,  
Washington, D. C.

MY DEAR SENATOR HEFLIN: May God bless and protect you for your brave and truthful exposure of the rotten conditions pertaining to the Fall-Doheny trial!

Has a million dollars ever been brought to justice where its owner was charged with a crime, especially in this country?

The jury in this instance acquits the criminals but thereby it brings on itself the righteous condemnation of the country at large!

I congratulate; I love your candor and courage.  
Sincerely,

G. C. ST. JOHN.

NEW YORK, December 18, 1926.

Hon. J. THOMAS HEFLIN,  
United States Senate, Washington, D. C.

SIR: You are entitled to the highest public commendation for your courageous denunciation of the travesty of justice displayed in the trial of Doheny and Fall. The verdict of the petit jury does not coincide with that of intelligent and fair-minded citizens.

The general belief is that Mammon had an influence in shaping the verdict of the jury. It seems that the administration of governmental affairs under President Harding was the most corrupt of any in the history of the Government.

I am very respectfully,

W. C. MOORE.

CADILLAC, MICH., December 18, 1926.

HON. J. THOMAS HEFLIN,  
Washington, D. C.

DEAR SIR: I want to congratulate you on the stand you took on the floor of our Senate regarding the Fall and Doheny trial. It is time that the Senate take some action to clean up the graft and steal in national affairs.

If a person steals a pig, he is sent to prison for five years. If he steals a million, he goes free.

Yours very truly,

A. C. McCARN.

LOVELAND, COLO., December 18, 1926.

MR. J. T. HEFLIN,  
Washington, D. C.:

Just read your address to the Senate on 16th instant.

Allow me to compliment you on the stand you have taken. Being somewhat of a Democrat myself, I do admire the good Democrats who stand up and shoot square, as they always do.

I, as a citizen of very moderate circumstances, think the past five years have been the greatest joke of all time ruled by the Republican Party.

I met you in Laramie, Wyo., when you were stumping for Mr. J. W. Davis in his campaign. You may remember me, as I had a short conversation with you when you bought your ticket back to Washington.

I was merely a traveling salesman then, but business got so rotten under Mr. Coolidge's administration I quit the road, as many others have been forced to do.

Hoping to see more of your addresses along this line, I am,

Yours respectfully,

M. C. CRAULT,

ASH GROVE, MO., December 19, 1926.

HON. J. T. HEFLIN,  
Washington, D. C.

DEAR SENATOR: I am a life-long Republican, but scratch my home ticket for what I think a good, clean man. I appreciate your speech so much, and think we need more like such as yours of recent date.

Hope we can do better with the Sinclair-Fall trial. Again telling you how I do appreciate this, I am,

Very truly yours,

EARL N. SMITH.

NEW YORK, N. Y., December 17, 1926.

HON. J. THOMAS HEFLIN,  
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have read with great interest your speech in the Senate on the acquittal of Doheny and Fall. I am glad that there is one with courage to speak out in language not to be misinterpreted the farce staged in the Capital City.

I am an American, my ancestry coming to this country in 1620, and I have always, as my father and grandfather before me, been identified with the Republican Party, but I hang my head with shame when I see what is going on around about me. I am retired, and in the twilight of a busy life, but the diabolical, treasonable acts of men holding high responsible positions makes my blood boil, and I feel that if this Government has reached a point where law administration permits the rich crook to go unpunished it is time for vigilance committees to organize and treat these traitors as they deserve. Doheny, Fall, and Robison, if I do not mistake the comments I hear, will go down in history \* \* \* picture of the finding of the jury and traitors to their country.

I am a New Yorker and was just in the hotel to meet appointment, but after reading your comments I could not wait to express my approval of all you said.

Yours respectfully,

A. PARKE,

25 East Sixty-fifth Street, New York City.

THE DEBATER'S FORUM,  
Alton, Ill., December 17, 1926.

HON. J. THOMAS HEFLIN,  
United States Senate, Washington, D. C.

DEAR SIR: Your speech of yesterday on the floor of the Senate regarding the Fall and Doheny trial as reported by the St. Louis Globe-Democrat has been read, and, I assure you, sincerely appreciated. While reading it I breathed a silent "Amen!" to every sentiment.

Likewise, in this simple way, I wish to place myself on record against the seating of Frank Smith of this State. The almighty dollar is fast becoming the tyrant ruler of this fair land of ours. Now is the time for the Senate to show its colors or abdicate.

It would be esteemed a great favor, indeed, if it were possible to secure through your kindness a copy of the CONGRESSIONAL RECORD containing the above-mentioned debates with the succeeding daily copies.

Yours respectfully,

B. T. HAYNES, Secretary.

HERRIN, ILL., December 18, 1926.

SENATOR J. THOMAS HEFLIN,  
Washington, D. C.

DEAR SENATOR: Herewith are sent the strongest congratulations, hoping you may ever stand steadfast in this fight upon the grafters, crooks, and corruptionists in high places, and give them the "hot shots" to the end. Amen!

Very truly yours,

R. B. GOODWIN,  
A Bryan Democrat.

DULUTH, MINN., December 17, 1926.

Subject: Doheny trial.

SENATOR HEFLIN: You have voiced the sentiments of a vast majority of the people; give them more of it.

Yours very truly,

M. M. GASSER.

KANSAS CITY, MO., December 17, 1926.

DEAR SENATOR HEFLIN,  
Washington, D. C.:

Permit me to congratulate you on your very able speech referring to the acquittal of those conspirators, Fall and Doheny.

You have had the courage and ability to express what we all know.

Most sincerely,

H. C. WANN.

ST. LOUIS, MO., December 17, 1926.

HON. J. THOMAS HEFLIN,  
Senator, Washington, D. C.

MY DEAR SIR: I want to do what I never before did—comment on a public official and compliment you on your talk on yesterday as in our morning paper. Am glad you can do it without being hauled in for contempt of court.

The verdict is a sad reflection on the seat of Government of this great country for justice. The circuit court of appeals, United States, sitting in St. Louis, said in that case—Fall-Sinclair—that "the transaction was tainted with favoritism, collusion, and corruption."

Will you please send me a copy of your speech and oblige. And I won't trouble you more.

CHARLES E. BRADLEY.

P. S.—Would there were more Senators like you.

HOUSE OF REPRESENTATIVES,  
Washington, D. C., December 17, 1926.

MY DEAR SENATOR HEFLIN: I am glad we have at least one Senator with gumption and guts to express the general public opinion of the worse than "Benedict Arnold" Fall and Doheny traitors and robbers. What are we coming to?

With best wishes, yours sincerely,

GEO. J. KINDEL,  
1578 Yates Street, Denver, Colo.

NEW YORK CITY, December 18, 1926.

SENATOR J. THOMAS HEFLIN,  
Washington, D. C.

DEAR SIR: I have just read your courageous speech on the Fall-Doheny verdict, and I can not resist writing an appreciation.

It lessens our shame to know there is a Senator who does not ignore the infamy. It is not strange that our streets are made unsafe by bandits when there is such an example in the highest place in the land.

No doubt they reason if a Cabinet officer can get away with robbery we may be as lucky.

Senator BORAH and you help the Senate. \* \* \*

May your stay there be long.

Yours appreciatively,

Mrs. MARY ELIZABETH McNALLY.

RESTORATION OF BILL TO THE CALENDAR

MR. McNARY. Mr. President, during the closing hours of the last session, July 3, an error occurred which I desire to have corrected. During the evening the bill (H. R. 9039) to amend section 8 of the act approved March 1, 1911 (36 Stat. p. 961), entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," was passed as a House bill by the Senate. There was another bill which on the calendar appeared to have the same purpose and effect, known as Senate bill 718, but which, while it related to the national forests, is an entirely different measure. By an error the Presiding Officer on his own motion caused Senate bill 718 to be indefinitely postponed. I ask unanimous consent that Senate bill 718 be restored to its former status on the calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

INTERIOR DEPARTMENT APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14827) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes.

The first amendment of the Committee on Appropriations was, under the heading "Office of the Secretary, salaries," on page 2, line 6, after the numerals "1923," to strike out "\$345,000; in all, \$360,000," and insert "\$351,600; in all, \$366,600," so as to read:

Secretary of the Interior, \$15,000; First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia in accordance with the classification act of 1923, \$351,600; in all, \$366,600.

The amendment was agreed to.

The next amendment was, under the subhead "Printing and binding," on page 6, at the end of line 17, to strike out "\$100,000" and insert "\$114,000," so as to read:

For printing and binding for the Department of the Interior, including all of its bureaus, offices, institutions, and services in Washington, D. C., and elsewhere, except the Alaska Railroad, the National Park Service, and the Geological Survey, \$114,000.

The amendment was agreed to.

The next amendment was, under the heading "General Land Office, general expenses," on page 9, line 20, after the word "shale," to strike out the following additional proviso:

*Provided further,* That no part of this appropriation shall be available for surveys or resurveys of public lands in any State which, under the act of August 18, 1894 (28 Stat. p. 395), advances money to the United States for such purposes for expenditure during the fiscal year 1928.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Indian Affairs, industrial assistance and advancement," on page 21, line 20, after the word "reservations," to strike out the colon and the following proviso:

*Provided,* That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

The amendment was agreed to.

The next amendment was, under the subhead "Irrigation and drainage," on page 24, line 6, after the word "irrigation," to strike out "system" and insert "systems," so as to read:

For the construction, repair, and maintenance of irrigation systems and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively.

The amendment was agreed to.

The next amendment was, on page 43, line 13, to strike out "\$3,185,000" and insert "\$3,228,500," so as to read:

In all, for above-named boarding schools, not to exceed \$3,228,500.

The amendment was agreed to.

The next amendment was, under the subhead "General support and civilization," on page 47, line 25, to increase the appropriation for general support and civilization of Indians, including pay of employees, from \$870,000 to \$925,000.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Pensions, salaries," on page 59, at the end of line 12, to strike out "\$1,132,460" and insert "\$1,190,000," so as to read:

For the Commissioner of Pensions and other personal services in the District of Columbia in accordance with the classification act of 1923, \$1,190,000.

The amendment was agreed to.

The next amendment was, under the heading "General expenses," on page 59, at the end of line 16, to strike out "\$100,000" and insert "\$130,000," so as to read:

For traveling expenses of persons employed in the Bureau of Pensions, detailed for the purpose of making special investigations pertaining to said bureau, \$130,000.

The amendment was agreed to.

The next amendment was, on page 59, after line 17, to strike out "For fees and mileage of examining surgeons, pensions,

for services rendered within the fiscal year 1928, and prior fiscal years, \$400,000," and in lieu thereof to insert: "For fees and mileage of examining surgeons engaged in the examination of pensioners, for services rendered within the fiscal years 1927 and 1928, \$500,000."

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Reclamation," on page 60, line 16, to strike out "For the Commissioner of Reclamation" and insert "Commissioner of Reclamation, \$10,000"; in line 19, after the numerals "1923" to strike out "\$152,000" and insert "\$142,000"; in line 20, after the name "District of Columbia" to strike out "\$20,000" and insert "\$23,000"; and in line 21, after the words "in all" to strike out "\$172,000, of which not to exceed \$2,000 shall be available for expenses, except membership fees, of attendance upon meetings of technical and professional societies when required in connection with official work of the bureau," and to insert "\$175,000," so as to make the paragraph read:

Commissioner of Reclamation, \$10,000; and other personal services in the District of Columbia in accordance with "the classification act of 1923," \$142,000; for office expenses in the District of Columbia, \$23,000; in all, \$175,000.

The amendment was agreed to.

The next amendment was, at the top of page 61, to insert:

For expenses, except membership fees, of attendance upon meetings of technical and professional societies required in connection with official work of the bureau, \$2,000.

The amendment was agreed to.

The next amendment was, on page 61, line 9, after the word "and," to strike out "\$20,000" and insert "\$25,000"; in line 12, after the word "prints," to strike out "\$48,000" and insert "\$50,000"; and in line 16, after the word "exceed," to strike out "\$20,000" and insert "\$30,000," so as to read:

For all expenditures authorized by the act of June 17, 1902 (32 Stat., p. 388), and acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other acts under which expenditures from said fund are authorized, including not to exceed \$160,000 for personal services and \$25,000 for other expenses in the office of the Chief Engineer, \$25,000 for telegraph, telephone, and other communication service, \$8,000 for photographing and making photographic prints, \$50,000 for personal services, and \$10,000 for other expenses in the field legal offices; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; not to exceed \$30,000 for lithographing, engraving, printing, and binding; purchase of ice; purchase of rubber boots for official use by employees; maintenance and operation of horse-drawn and motor-propelled passenger-carrying vehicles; not to exceed \$50,000 for purchase of horse-drawn and motor-propelled passenger-carrying vehicles; packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior; payment of damages caused to the owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works, and which may be compromised by agreement between the claimant and the Secretary of the Interior, or such officers as he may designate; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary of the Interior.

The amendment was agreed to.

TRUCKEE RIVER STORAGE

The next amendment was, on page 66, after line 19, to insert:

For the survey and examination of water storage reservoir sites on the headwaters of the Truckee River, investigation of dam sites at such storage reservoirs, examination and survey of lands susceptible of irrigation from waters that may be practicably so impounded, and estimates of costs, reports, and recommendations with regard thereto, \$50,000.

Mr. PITTMAN. Mr. President, I desire to place in the RECORD at this point the recommendation of the Department of the Interior with regard to this matter. I may say that this amendment is the same amendment that was proposed by me in the Senate, and was referred to the committee. The committee submitted the amendment to the Commissioner of Reclamation; and I ask to have published in the RECORD the commissioner's letter in reply to the submission of the amendment, showing his approval of it.

The PRESIDING OFFICER (Mr. LENROOT in the chair). Without objection, it is so ordered.

The letter is as follows:

UNITED STATES DEPARTMENT OF THE INTERIOR,  
BUREAU OF RECLAMATION,  
OFFICE OF THE COMMISSIONER,  
Washington, December 17, 1926.

Hon. REED SMOOT,

*United States Senate, Washington, D. C.*

MY DEAR SENATOR SMOOT: Referring to the amendment of Senator PITTMAN, providing an appropriation for a detailed investigation of storage possibilities on the Upper Truckee River, I believe this investigation should be made, and that adequate funds can not be provided from the appropriation for investigation of secondary projects. To do this there should be a specific appropriation of \$50,000. I understand \$100,000 is mentioned in the amendment submitted by Senator PITTMAN, but I question whether we could organize an investigation in such a way as to profitably expend such sum in 1928, and believe the desired information can be secured with \$50,000.

Sincerely yours,

ELWOOD MEAD, *Commissioner.*

Mr. PITTMAN. I also ask that there be published in the RECORD, following that, a letter that I had written Doctor Mead on the subject, and also his reply, under date of December 17, 1926.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,  
Washington, December 17, 1926.

Hon. ELWOOD MEAD,

*Commissioner of Reclamation, Washington, D. C.*

MY DEAR DOCTOR MEAD: I received your statement made at Lake Tahoe, in which you stated that it seemed to be the consensus of opinion that the department should seek storage in the main upper Truckee or its tributaries before considering the larger project at Spanish Springs and the irrigation of Indian lands and other lands.

On my return to Washington I also received a letter from you informing me that it was necessary at the present time to abandon the Spanish Springs project by reason of the impossibility of getting the Indian lands, and possibly railroad and other lands in the project at this time, and that you thought that we should look for storage on the upper Truckee.

I was very much surprised and disappointed that no provision was carried in the Interior Department appropriation bill providing for such investigation, survey, and estimate with regard to such projects on the upper Truckee.

Congressman ARENTZ, of Nevada, on the 14th offered an amendment providing \$50,000 for such work, both on the upper Truckee and the upper Carson, and such amendment was defeated.

On yesterday I offered an amendment in the Senate to be proposed to the Interior Department appropriation bill, and had such amendment referred to the Senate Committee on Appropriations. The amendment calls for an appropriation of \$100,000, or so much of it as may be required, for the purpose of enabling the department to examine and survey the reservoir sites on the upper Truckee and its tributaries, and to estimate the capacity and cost of such storage and to report the same together with the lands susceptible of irrigation from such storage and the approximate cost per acre for such water.

I have offered no amendment with regard to the Carson River, as Senator OGDEN has such matter in charge, and because I am not so familiar with the situation on the Carson River as I am with the conditions on the Truckee.

I appeared before the Appropriations Committee this morning and made an argument in favor of my amendment. The committee, of course, is entirely familiar with the Spanish Springs project and the necessity for an additional water supply for the existing projects which the waters of the river supply.

There is no doubt that the committee will approve the amendment, but they have some doubt as to the amount of money that may be required. They will communicate with you immediately with regard to the amendment.

What the people of Nevada desire is that there may be some definite program ready to be put into effect at the next session of Congress. We feel that three or four years' delay in this matter has been sufficient.

I do not know, of course, how much money will be required for testing the dam sites on the various reservoir sites, but there should be ample provided so that the work can be completed before next Congress, and so that your department will not have to come back with a partial report and a request for further money. If you can do the work for less than \$100,000 we will all be happy, and, of course, you will not use any more than you have to, but it will be tragic if you do not get sufficient money to do the work between now and next session.

Sincerely,

KEY PITTMAN.

(This letter delivered personally to Doctor Mead on this date.)

UNITED STATES DEPARTMENT OF THE INTERIOR,  
BUREAU OF RECLAMATION,  
OFFICE OF THE COMMISSIONER,  
Washington, December 17, 1926.

Hon. KEY PITTMAN,

*United States Senate, Washington, D. C.*

DEAR SENATOR PITTMAN: I had a call from the Appropriations Committee with regard to your amendment for the appropriation of \$100,000 for investigations on the upper Truckee River. It was intimated that an appropriation of \$50,000 would be considered, but that \$100,000 was considered excessive. I believe \$50,000 will do the work, and thought it best to recommend that sum. Inclosed is a copy of my letter to Mr. SMOOT.

Sincerely yours,

ELWOOD MEAD, *Commissioner.*

Mr. PITTMAN. I also ask unanimous consent to have published in the RECORD at this point a report by Doctor Mead, the Commissioner of Reclamation, in which he stated that it probably would be necessary to abandon the Spanish Springs project in Nevada for the present, at least, which was the only reservoir site then in mind, to supply a deficit of water on the Newlands and other projects.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

TRUCKEE-CARSON IRRIGATION DISTRICT AND SPANISH SPRINGS DIVISION OF THE NEWLANDS PROJECT (NEVADA)

At Lake Tahoe I met the attorney for the Truckee-Carson Irrigation District, and engineers making surveys for the Spanish Springs division of the Newlands project. Although Nevada is suffering from an acute shortage of water, it is believed that by the exercise of economy and by rotation in delivery all the crops under the Lahontan Reservoir will be saved. Arrangements were made for pumping from this reservoir to supply a part of the irrigators under the Truckee Canal, while those depending entirely on the stored water in Lake Tahoe would be in a better position than heretofore, because the water in the river is now being distributed by a water master, in accordance with the provisions of a recently rendered court decree.

Different conferences showed that there exist in Nevada misgivings about the feasibility of the Spanish Springs project. These arise out of the low stream-flow records of the last three years and the large private development on both the Carson and Truckee Rivers in recent years, which makes an increased demand on the natural flow of both streams, and hence lessens the amount of water available for storage. During the past three years it has not been possible to fill completely either of the storages at Lahontan and Lake Tahoe, and little or no benefit would have been derived from the Spanish Springs reservoir if it had been completed.

The conferences showed a belief that before entering on this large and costly development further studies should be made to determine whether it would not be better to build a small storage in the main channel of the Truckee, or some of its tributaries, which would provide a dependable water supply for the lands under the Truckee Canal, leaving the irrigation of Indian and other lands until there is a better understanding of the amount of the available water supply and the needs of private irrigators.

Mr. PITTMAN. I am placing this in the RECORD, not, of course, for the benefit of the Senate or of the Senate committee, because they have had hearings at which I appeared, and have approved it, and the Senate has approved it; but a similar amendment for a lesser sum—I believe for \$25,000—was defeated in the House, because, unfortunately, in the House it was not presented to the House committee at all, and no report was obtained from the Department of the Interior. When this bill goes back to the House I want the information that I have here before the House, and that is all I am putting it in for now.

I also ask unanimous consent to include in the RECORD at this point a report of the engineering, agricultural, and economic study of the Spanish Springs Reservoir site, Truckee division, Newlands project, Nevada, prepared under the supervision of the department; also the report on the same matter by the fact finding commission, as it is known. They are both short.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

SPANISH SPRINGS RESERVOIR, TRUCKEE DIVISION, NEWLANDS PROJECT, NEVADA

Location: Truckee and Carson Rivers head on the eastern slopes of the Sierra Nevada Mountains south and west of Reno, Nev., and flow northeastward, the Truckee River entering Pyramid and Winnemucca Lakes, where its waters are evaporated, and Carson River flowing into Carson Lake and into the Humboldt sink. Where the Truckee turns northward to Pyramid Lake the two rivers are separated by a low

divide, and the Truckee Canal was constructed at this point to carry Truckee River waters into the Carson River watershed. At the end of this canal on Carson River the Lahontan Reservoir has been constructed, with a capacity of 290,000 acre-feet for the supply of lands lying around Fallon. Lake Tahoe, at the head of Truckee River, is controlled for power and irrigation purposes. The average annual run-off of Truckee River is about 100,000 acre-feet and of the Carson River 300,000 acre-feet, but both streams vary greatly from year to year. Although the Lahontan Reservoir provides adequate control of the Carson River, additional storage is required on the Truckee to provide a better supply for lands now irrigated from Truckee Canal and for the better utilization of Truckee River waters. Interstate complications, existing railroads in upstream storage sites, and the water requirements of power plants above Reno make storage inadvisable above Reno. The Spanish Springs site is in a dry tributary valley of Truckee River about 6 miles northeast of Reno. The impounding dam would be of earth and rock with a length of 2,400 feet and a maximum height of 100 feet. The storage capacity would be 155,000 acre-feet. A feed canal from Truckee River would be required, with a capacity of 520 second-feet and a length of 14 miles, heading about 6 miles above Reno and passing through the northern portion of that city. The right to store winter waters now utilized by one power plant near Reno would also be required to provide the needed supply for the reservoir. It is proposed to obtain this privilege by replacing the power lost to this plant from a new plant to be constructed and operated at the drop from the end of the feed canal to the reservoir water level.

Storage released would be utilized through the Truckee Canal and extensions thereof on lands north of Wadsworth on the Pyramid Indian Reservation and on a narrow strip of land extending from Truckee River near Wadsworth southeasterly almost to Carson Lake and above canals supplied from Lahontan Reservoir. The total area benefited, including 7,235 acres at present insufficiently irrigated, would be 46,600 acres, of which about 65 per cent is considered first class and 35 per cent second class with respect to their agricultural value. The diversion requirement is estimated at 6 acre-feet per acre. The lands are largely on benches with a sandy or gravelly soil and artificial drainage will not be generally required. The ownership is about evenly divided between the Indian reservation, the Central Pacific Railroad, the United States Government, and individuals.

The average altitude is 4,100 feet; mean annual temperature, 51° F.; average annual rainfall, 5 inches; and the average period between frosts, 124 days.

*Estimated costs of additional construction (including engineering, overhead, and contingencies)*

Storage:		
Feed canal.....	\$1,347,000	
Reservoir.....	1,720,000	
Outlet canal.....	250,000	
Power plant.....	114,000	\$3,431,000
Distribution system:		
Pyramid lands.....	792,000	
Truckee lands.....	410,000	1,202,000
Drainage.....		197,000
Operation and maintenance during construction.....		158,000
Surveys and investigations.....		79,000
Total.....		5,067,000

Mr. PITTMAN. I desire further to make a brief statement on the subject.

For several years the deficit of water has been recognized. Congress on two occasions has appropriated \$500,000 to start the Spanish Springs project. It was first appropriated for in the Sixty-eighth Congress, and again it was appropriated for in the Sixty-ninth Congress, \$500,000 each time for the purpose of commencing the Spanish Springs Reservoir.

Mr. KING. Did they expend any part of it?

Mr. PITTMAN. Very little. The total cost of that was to be \$5,000,000. That is now abandoned by the Interior Department, and they ask for money to make investigations of up-river storages. In other words, there are several lakes up there which may serve the purpose. This money is essential for the purpose of testing the dam sites at the mouths of these places, so that they may estimate the cost and the amount of land to be irrigated and report at the next session of Congress.

I simply make that statement for the benefit not of those in this body but of those in the other body.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 70, at the end of line 23, to increase the total appropriation from the reclamation fund from \$11,643,800 to \$11,798,800.

The amendment was agreed to.

The next amendment was, under the heading "National Park Service," on page 83, line 15, after the word "monument," to strike out "\$23,230" and insert "\$25,030, of which \$600 shall be immediately available," so as to make the paragraph read:

National monuments: For administration, protection, maintenance, preservation, and improvement of the national monuments, including not exceeding \$400 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the custodians and employees in connection with general monument work, and including \$500 for the construction of a shelter cabin, and \$500 for the construction of a telephone line partly outside the boundary of Pinnacles National Monument, \$25,030, of which \$600 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 86, line 12, after the word "boundary" to strike out "\$1,500,000" and insert "\$2,000,000," so as to read:

Construction, etc., of roads and trails: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks and monuments under the jurisdiction of the Department of the Interior, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, \$2,000,000, of which amount not to exceed \$7,500 may be expended for personal services in the District of Columbia.

Mr. KING. Mr. President, I would like to call the attention of the committee not alone to the item which has just been read, but to the appropriation carried in line 17 under this proviso:

*Provided*, That the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of \$2,500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

While I have a great deal of confidence in the Secretary of the Interior, I am unwilling, if I understand this provision, to give to him authority to enter into contracts to the extent of \$2,500,000 with respect to projects of which he may have no knowledge, and particularly in view of the fact that immediately preceding that item we appropriate, by the amendment which was just adopted, \$2,000,000. I think that \$4,500,000 for roads in the parks is entirely too high. While I believe that the parks should be properly cared for, although I do not hesitate to say we are getting entirely too many, nevertheless \$4,500,000 in my opinion ought not to be appropriated for roads in the parks, and certainly \$2,500,000 ought not to be left to the discretion of the Secretary of the Interior to be used wherever he may see fit.

Mr. SMOOT. Mr. President, the appropriation is \$2,000,000. The \$2,500,000 was carried in an appropriation bill a year ago in exactly the same words. No money can be expended for this purpose until there are appropriations made for it. The \$2,000,000 provided for in the pending bill is a direct appropriation, and that is to take care of projects which have been arranged for in the last year. It simply provides, and this is all that it means, that as far as the building of roads in our parks is concerned, that work is not yet completed, but we do not want the Secretary to undertake during the next year to obligate the Government in any way to exceed \$2,500,000. There will have to be an appropriation for it, of course. This is simply an authorization to make the investigation and incur the expense provided the appropriation is made.

I know that my colleague understands very well that many of our parks, where we are asking people to come from all over the United States to see the wonders of nature, have roads which are almost impassable, though not the roads in the State itself. In our own State of Utah, for instance, we have good roads to the entrances of the park, but mighty poor roads in approaching it wherever those approaches are in a national forest. We have got to have money to have those roads built if we ever expect people to come there to see the wonders of the different parks.

This is not an appropriation. It simply provides that the Secretary can extend the investigation of the work and make obligations, but not for more than \$2,500,000. If he does that, then, of course, the next appropriation bill will carry the amount for which he has entered into contracts. The same thing has happened now for the past two years exactly in the same way. The matter has not been abused, as everybody knows, and I think this is the best way to handle it. In fact, I think this will give us a gain of a year in time in getting the roads built rather than having us wait another year and then make the appropriation for the following year.

Mr. KING. If my colleague will permit me, this language is more than an authorization.

Mr. WALSH of Montana. Mr. President, will the Senator give us the reference to the item?

Mr. KING. I am reading at page 86, line 14:

*Provided*, That the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of \$2,500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the construction of roads in national parks and monuments shall be considered available for the purpose of discharging the obligations so created.

Mr. SMOOT. May I call the Senator's attention to the act approved April 9, 1924? In that act the Secretary of the Interior is authorized in the administration of the parks to do this very work. I will read the act, because it is very short:

*Be it enacted, etc.*, That the Secretary of the Interior, in his administration of the National Park Service, is hereby authorized to construct, reconstruct, and improve roads and trails, inclusive of necessary bridges, in the national parks and monuments under the jurisdiction of the Department of the Interior.

SEC. 2. That for such purposes, including the making of necessary surveys and plans, there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the following sums, to be available until expended: The sum of \$2,500,000 for the fiscal years ending June 30, 1924, and June 30, 1925; the sum of \$2,500,000 for the fiscal year ending June 30, 1926; and the sum of \$2,500,000 for the fiscal year ending June 30, 1927.

SEC. 3. That the Secretary of Agriculture is authorized to reserve from the distribution to the several States, in addition to the 10 per cent authorized by section 5 of the act of November 10, 1921 (42 Stat. L. p. 213), not exceeding 5 per cent of the material, equipment, and supplies hereafter received from the Secretary of War, and to transfer said material, equipment, and supplies to the Secretary of the Interior for use in constructing, reconstructing, improving, and maintaining roads and trails in the national parks and monuments: *Provided*, That no charge shall be made for such transfer except such sums as may be agreed upon as being reasonable charges for freight, handling, and conditioning for efficient use.

That was the act of 1924.

Mr. KING. Mr. President, may I inquire of my colleague whether we appropriate for the present year, in addition to the \$2,500,000 carried in the act which he has just read, \$1,500,000, or any other sum?

Mr. SMOOT. I think there is the exact wording in the bill as to the appropriation of \$2,500,000 that is contained in the act of 1924. I will look at it in just a moment.

Mr. KING. In order that there may be no misapprehension, what I am trying to do is to ascertain what will have been expended at the end of this fiscal year for roads, bridges, and so forth, in the parks.

Mr. SMOOT. Last year the appropriation was \$1,500,000. The estimate this year was for \$1,500,000; but your committee thought that we ought to make it \$2,000,000.

Mr. KING. I am not objecting to that item.

Mr. SMOOT. I will say those are the appropriations which have already been made. There have been \$3,000,000 appropriated for the two years; that is, \$1,500,000 for last year and \$1,500,000 for this year. The authorization last year read as follows:

That the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of \$1,000,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the purpose of carrying out the provisions of said act—

That is the act approved April 9, 1924—

and acts amendatory thereof and supplemental thereto, shall be considered available for the purpose of discharging the obligations so created.

In other words, the language was the same as that found in the pending bill, with the exception that the appropriation is \$2,500,000 instead of \$1,000,000.

Mr. KING. May I ask what contracts, if any, were made by the Secretary of the Interior under the authorization just read by the Senator?

Mr. SMOOT. I will read what the Secretary says about it:

The estimate of 1928 provides for only \$1,500,000 in cash and authority is again granted to the Secretary of the Interior to incur contractual obligations to the extent of \$1,500,000.

I thought it gave the items, but I find it does not do so.

Mr. KING. What I am trying to find out is what we have spent under that authority and under the direct appropriation for the fiscal year 1926.

Mr. SMOOT. The amount was \$1,500,000.

Mr. KING. Now, it is proposed to appropriate \$2,000,000 for the next fiscal year, and there is an authorization for an appropriation of two million and a half more.

Mr. SMOOT. That is for the next fiscal year; that is from June 30, 1928, to July 1, 1929; in other words, we authorize the Secretary of the Interior to make contracts. If the contracts shall be made, then, of course, we will have to make the appropriation for that fiscal year.

Mr. KING. Let me ask the Senator whether the evidence before the House committee or the Senate committee demonstrated the propriety or the wisdom or the necessity of an appropriation of \$2,500,000 for the next year?

Mr. SMOOT. The testimony before the committee was to the effect that they would like to get the work done, and they thought that they ought to have a larger appropriation so that the work may be completed as quickly as possible. I have no doubt in my mind that there will have to be \$10,000,000 spent on the roads in the national parks; and that will be a cheap price if we can get the proper kind of roads constructed in those parks within a reasonable time.

Mr. KING. Mr. President, of course I appreciate the fact that we have parks and that they must be accessible, particularly those parks which have natural beauty and which constitute splendid recreation grounds for the people; but I confess that I do not like legislation which tells the Secretary of the Interior, "You may go ahead and enter into contracts for two and a half million dollars for any projects you may see fit, and those contracts shall be binding obligations upon the Government, and the Government will have to make appropriations for them." I have no objection to an authorization for the Secretary of the Interior to enter into such contracts as he deems for the best interests of the service, but he should report them to Congress and Congress should then determine whether the authorization has been wisely employed or whether contracts have been entered into of which we do not wish to approve.

I am not on the committee, and I hesitate to place my judgment against the judgment of members of the committee, all of whom are interested in this matter, and doubtless have made considerable investigation of it; but I do want to enter a protest against this kind of legislation which gives to the Secretary of the Interior authority to make any sort of contract he pleases and to bind us. I do not object to authorizations. We grant them in the river and harbor bill, but, after the authorization for a survey Congress has to speak and determine whether an appropriation shall be made. I regret exceedingly that we can not amend this bill so that it will read substantially in this form:

*Provided*, That the Secretary of the Interior may also enter into contracts for additional work but not exceeding a total of \$2,500,000—

If that is the amount the committee deems necessary—

and report at the next session of Congress such contracts as he may have entered into, and, if approved by Congress, then the necessary appropriation will be made for executing them.

That is the way it should read, in my opinion. I regret exceedingly to support a measure that carries unlimited authority for the Secretary of the Interior to make any sort of contract he pleases, with whom he pleases, for any project he pleases, and for any amount which he pleases up to \$2,500,000, and we have nothing to do but sign on the dotted line. It is bad legislation and it will be, in my opinion, a precedent that will come home to plague Congress many times in the future.

Mr. JONES of Washington. Mr. President, I wish to ask the senior Senator from Utah a question. As I understand the appropriation of \$2,500,000, on page 86, in line 17, is additional to the \$2,000,000 in line 12.

Mr. SMOOT. That amount, however, is not appropriated.

Mr. JONES of Washington. I understand that, but it is authorized.

Mr. SMOOT. That is for the next year. The Secretary is not authorized to make any contracts beyond that amount.

Mr. JONES of Washington. I understand that, but the bill practically provides for \$4,500,000.

Mr. SMOOT. Yes; within the two years.

The PRESIDING OFFICER (Mr. LENROOT in the chair). The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 87, line 11, after the word "of," to insert "traveling expenses, including," so as to make the paragraph read:

Appropriations herein made for national parks shall be available for payment of traveling expenses, including the costs of packing, crating,

and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, under the heading "Columbia Institution for the Deaf," on page 97, line 10, after the word "grounds," to strike out the semicolon and "for remodeling and equipping light and power plant, in all," so as to read:

For repairs to buildings of the institution, including plumbing and steamfitting, and for repairs to pavements within the grounds, \$11,400.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the amendments reported by the committee. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. SMOOT. Mr. President, the committee has a few additional amendments to offer. On page 94, line 10, I move to strike out "\$500,000" and in lieu thereof to insert "\$400,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMOOT. On page 68, line 10, after the word "Reservoir," I move to insert a comma and the words "Utah lake control." That is the identical language used in the original act. This is a reappropriation, and we think the wording ought to be the same in this bill.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 68, line 10, after the word "Reservoir," it is proposed to insert a comma and the words "Utah lake control."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I have a letter here from the Commissioner of the Bureau of Reclamation asking that on page 63, line 20, after the numerals "\$393,000" the following amendment be added:

On page 63, line 20, after the numeral "\$393,000," insert the following:

" : *Provided*, That the unexpended balance of \$35,000 of the appropriation of \$200,000 for the Yuma auxiliary project, contained in the second deficiency act, fiscal year 1925 (43 Stat. L. p. 1330), is hereby reappropriated and made available for the same purposes for the fiscal year 1928."

In other words, it extends the \$35,000 over into the next fiscal year so that if it is unexpended prior to July 1, 1927, it may run into the fiscal year 1928.

Mr. KING. Mr. President, may I inquire whether this amendment relates to the same item that was under consideration last evening in connection with the river and harbor bill?

Mr. SMOOT. No; this refers to a reclamation project. The Senator from Arizona [Mr. CAMERON] may have offered such an amendment last night, but he did not do so when I was present.

Mr. KING. There was an appropriation made a year ago of \$35,000, ostensibly for river control, but it related to the Yuma project; and last night, over the protest of a number of us, the Senator voted to appropriate \$100,000 more.

Mr. JONES of Washington. From the language of the amendment, it evidently relates to an entirely different item from that which was covered by the \$100,000 item we put in the river and harbor bill last night. This amendment reads:

*Provided*, That the unexpended balance of \$35,000 of the appropriation of \$200,000 for the Yuma auxiliary—

And so forth.

The amendment last night did not deal with this proposition at all.

Mr. SMOOT. I can read the letter from the commissioner, if that is desired, but I think I can state the facts more briefly.

Mr. KING. Let the Senator state them; it is not necessary to read the letter.

Mr. SMOOT. The Senator will find the \$35,000 item on page 63 of the bill, in line 20. If the appropriation is not expended by June 30th of this year it lapses, and all this amendment does is to allow it, if it shall be unexpended, to be used after June 30, 1927. It extends whatever unexpended balance there may be at that time into the next year.

Mr. KING. Mr. President, we passed an item a moment ago with regard to the railroad in Alaska.

Mr. SMOOT. I will explain that to the Senator.

Mr. KING. I am not objecting to the reduction, but what I should like to inquire is whether or not there was any evidence before the committee as to the feasibility or wisdom of continuing that road as a Government project; whether there was any testimony tending to show that it would be wise to sell it, if we could sell it, or are we to continue these expenditures, capital expenditures as well as expenditures for the maintenance of the road, for an indefinite period?

Mr. SMOOT. Mr. President, I do not expect to live long enough to see the Alaska Railroad become self-supporting; it may reach that condition at some time in the distant future, but I wish to say that the report for the last year is the best one that has ever been received. I think the man who is now in charge of the road is really a railroad man; but, so far as making even a promise of a future time when no expense will be incurred by the Government for maintaining that road, I do not believe it will be in my lifetime.

Mr. JONES of Washington. Mr. President, I think the junior Senator from Utah appreciates the fact that the benefits of that road are not really to be measured by the dollars and cents that come in or go out. There are benefits to be derived from the railroad which are not indicated in its receipts. They are benefits to the Territory and its development, and they are not included in any report of dollars and cents received or paid out.

Mr. SMOOT. That is true, of course.

The PRESIDING OFFICER. Did the Senator from Utah offer an amendment on page 63?

Mr. SMOOT. That is the amendment which I have just offered.

The PRESIDING OFFICER. It has not been agreed to.

Mr. SMOOT. I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Utah.

The amendment was agreed to.

Mr. WALSH of Montana. Mr. President, I should like to inquire of the Senator from Utah if there is any other provision in the bill to prevent or extinguish fires in the national parks except that which is found on page 84.

Mr. SMOOT. There is a direct appropriation, I think, of the same amount that we always appropriate, if the Senator will wait just a minute until I can find it.

Mr. WALSH of Montana. On page 84 there is an appropriation of \$40,000 for reconstructing trails, bridges, buildings, and so forth, that have been damaged, and for fighting fires in national parks.

Mr. SMOOT. Yes. This is on the national forests. Then, there is an appropriation for fighting fires on Indian lands.

Mr. WALSH of Montana. The Senator, of course, is aware that last year there were most devastating fires in a number of the national parks, particularly in the Glacier National Park, destroying property that is conservatively estimated in the millions.

Mr. SMOOT. Yes.

Mr. WALSH of Montana. And it seems to me incumbent upon us to make some more adequate provision in anticipation of other visitations of that character.

Mr. SMOOT. The regular, direct appropriation for public lands and forests comes in the agricultural appropriation bill.

Mr. WALSH of Montana. But that is for the national forests.

Mr. SMOOT. Yes.

Mr. WALSH of Montana. I am speaking now of fires in the national parks.

Mr. SMOOT. This is the only thing we have on the national parks. On page 21, however, there is this language:

To meet possible emergencies, not exceeding \$50,000 of the funds held by the United States in trust for the respective tribes of Indians—

And so forth. That is on Indian lands.

Mr. WALSH of Montana. That would not reach the situation.

Mr. SMOOT. No; I say, that is on Indian lands. The other appropriation I have spoken of is the only one that deals with the subject.

Mr. WALSH of Montana. My recollection is that the expense incurred in the effort to prevent and extinguish fires in the Glacier National Park alone last year was far in excess of the total appropriation here made for all the parks.

Mr. SMOOT. There is never any hesitation in trying to suppress those fires; and a deficiency appropriation comes in for them nearly every year, for the amount of money that is actually expended.

Mr. President, there is one other amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated. The CHIEF CLERK. On page 97, after line 11, it is proposed to insert:

HOWARD UNIVERSITY

Salaries: For payment in full or in part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance to be paid from privately contributed funds, \$150,000, of which sum not less than \$2,200 shall be used for normal instruction.

General expenses: For equipment, supplies, apparatus, furniture, cases and shelving, stationery, ice, repairs to buildings and grounds, and for other necessary expenses, including \$17,600 for payment to Freedmen's Hospital for heat and light, \$68,000.

For the construction of one additional dormitory building for young women, \$150,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DILL. Mr. President, on page 47 there is an item providing an appropriation of \$60,000 for the Yakima Sanatorium, Washington.

As I understand, this money is to be used for the equipment of what were formerly the Indian agency buildings at Fort Simcoe as a tuberculosis sanatorium for Indians. A few days ago I had a telegram from one of the leaders of the Indian tribe there asking if he could have a hearing on this question, and I wired him that I would arrange for it. I had not expected that the bill would be reported so soon. I am glad that the Appropriations Committee has been so active, but I had not expected that the bill would be reported before the Christmas recess. Consequently, this Indian is on his way here to present his objections to this change being made.

I find myself in a very difficult position. I recognize the great need in the Northwest of a sanatorium for Indians afflicted with tuberculosis. There has been a great demand on the part of a large number of people and various organizations for some such sanatorium as this; and, being located as it is in the Yakima country, it is accessible to both sides of the State. I have no criticism of that location; in fact, I think it desirable; but having assured this representative of the Indians that he would be given a hearing, I wondered if the chairman of the committee would permit this item to be stricken out and go to conference, with the understanding that I have no desire to do anything except to have him heard. I shall not ask the conferees to retain the Senate action in striking out the provision, because I am extremely anxious to have a hospital established for the Indians afflicted with tuberculosis in that section of the country.

Mr. JONES of Washington. Mr. President, I appreciate the position my colleague is in. I know his purpose in the matter and his desire to give these people an opportunity to be heard; and I want them to have an opportunity to be heard, too.

I do want to say, however, that I am thoroughly familiar with this location. My home was at Yakima, about 4 miles from this reservation, for nearly 30 years. I have visited this site, and I do not believe that a more suitable place for a tuberculosis sanatorium could be found anywhere in the Northwest than at this location. It is just at the foot of the foothills of the Cascade Mountains, on the east side. The climatic conditions are ideal from what I have heard with reference to the climatic conditions that are desirable in connection with this disease. The atmosphere is dry. There is a great deal of sunshine. It is not very cold in the winter and not disagreeably warm in the summer. It seems to me it is a very ideal location. As my colleague has said, the need for a sanatorium in the Northwest is very great, and I think this is a very desirable item.

If the chairman of the committee or the Senator in charge of the bill will assure me that the striking out of this item is simply for the purpose of affording a hearing to this Indian who wants to come down here and will not take it as indicating at all that the Senate desires this item stricken out and is opposed to it, I shall not object to the request of my colleague, because I appreciate the position he is in.

Mr. DILL. Then I move that that item be stricken out; and I desire to express my appreciation of this courtesy. If this Indian had not already started, I would wire him not to come; but an Indian feels that when you give him a promise your word is sacred. I hate to break my word with him, and this will make that unnecessary.

Mr. SMOOT. Mr. President, with that understanding I have no objection to the amendment; but I will say to the Senator that it must be followed by another amendment, changing the aggregate amount.

The PRESIDING OFFICER. The Senator from Washington makes that motion?

Mr. DILL. I do.

The PRESIDING OFFICER. The Senator from Washington offers an amendment which will be stated by the Secretary. The CHIEF CLERK. On page 47, line 15, it is proposed to strike out:

Yakima Sanatorium, Washington, \$60,000.

The amendment was agreed to.

Mr. SMOOT. Mr. President, that having been acted upon favorably, the total must be changed. On page 45, line 22, I move to strike out "\$948,000" and insert "\$888,000."

The amendment was agreed to.

Mr. SMOOT. Then both matters will be in conference.

The PRESIDING OFFICER. If the Chair may have the attention of the Senator from Utah with regard to the amendment that was agreed to, moved by the Senator from Washington, it will be necessary to make a further amendment in order to have the bill conform to the action taken. The total on line 16, page 47, was not changed. Without objection, the proviso will be amended so as to read:

*Provided further*, That this appropriation shall be available for construction of hospitals and sanatoria, including equipment, as follows: For Western Navajo Hospital, Arizona, \$30,000.

Mr. SMOOT. That is all right.

Mr. ODDIE. Mr. President, I offer an amendment to appear following the committee amendment on page 66, and I ask that the clerk read the amendment.

The PRESIDING OFFICER. The clerk will read.

The CHIEF CLERK. On page 66, after line 25, to insert the following:

That two of the persons to be named by said Secretary to make such examination and report shall be local engineers, familiar with the questions and problems involved in the investigation herein provided for: *Provided*, That one of said local engineers shall be selected by the water users of the Truckee-Carson irrigation district, Nevada, and the other of said local engineers shall be selected by the water users of the upper Truckee River Basin, Nev.

Mr. SMOOT. Mr. President, I can not accept that amendment. It seems to me that if this investigation is to be made by the Reclamation Service it ought to have the say as to who shall make the investigation. I do not think we ought to bind the Government in any way as to who should be appointed or where he should come from. The investigation will be made the same as all other investigations are made by the Government, and that is the way it ought to be. I hope the amendment will not be agreed to.

Mr. ODDIE. Mr. President, there have been cases in the past of investigations made by the Government when the full facts have not been secured. In Nevada there are numbers of local engineers who have made a study for many years of the problems involved, and the people interested are particularly desirous that two of those local engineers be included in the investigating body. There is no extra appropriation provided for in this amendment. I can not see how it would do any harm.

Mr. SMOOT. Mr. President, all reclamation projects should be treated the same. Why should we not want to treat them all the same? If we are to allow such investigation to be made by local people, well and good, but that policy would be wrong, in my opinion, and I hope the Senate will not agree to this amendment.

The PRESIDING OFFICER pro tempore. The question is on agreeing to the amendment proposed by the Senator from Nevada.

The amendment was rejected.

Mr. ODDIE. Mr. President, I offer an amendment to appear on page 74, line 23.

The PRESIDING OFFICER pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 74, line 23, to strike out "\$200,000" and to insert in lieu thereof "\$240,000."

Mr. SMOOT. Mr. President, that question was discussed in the committee, and the department thinks they have ample money to do the work. I do not like to take an amendment of that kind into conference when I know the conferees will immediately say, "We have given them every cent they have asked." How can I stand up against a statement of that kind?

Mr. ODDIE. Mr. President, the appropriation under this item is to be expended for specific and general examinations and classifications of lands required in the administration of legislative enactments under the homestead acts under legislation enacted dealing with the public domain and the mineral

resources thereof. It is to be devoted to the Government's own real-estate holdings entirely.

Mr. SMOOT. Of course; that is what the whole \$200,000 is to be used for; but the House, after full and complete hearings, decided that \$200,000 was sufficient, as did your committee. The Senator knows that these enlarged homesteads are getting less and less in number. There are no more of them being taken up. In my opinion the law referred to ought to be repealed, and I think it will be repealed. It seems to me that if the department is content with \$200,000 we ought not load the bill with any further amount.

Mr. ODDIE. Mr. President, this work has been under way for some time. It is exceedingly important to the whole western country and to the mining industry and the agricultural industry, which are being retarded because of lack of sufficient appropriations. I firmly believe that the additional money ought to be appropriated, and I hope this amendment will carry.

Mr. KING. Mr. President, if the Senator had offered an amendment providing that a part of the \$130,000 that is to be expended for clerks here in Washington should be used in the field, I should have supported his amendment. It seems to me that out of a \$200,000 appropriation to examine certain lands in the West, in the public-land States, it is an absurdity to use \$130,000 of it for clerks here in Washington. That is the trouble with the Interior Department and many other departments. They keep a perfect army of unnecessary employees in the District. If the Senator will move to strike out \$130,000 and insert in lieu thereof \$90,000, I shall support it. That would leave the additional \$40,000 for the examinations.

Mr. SMOOT. Mr. President, that would not help the case at all, but it would only delay. The work that is done in the field is small compared with the work that must be done here in the District of Columbia. All the records are here. The survey is made in the field, to judge as to whether the lands are such lands as would fall under the enlarged homestead act, but the whole question then is settled here through examinations made from the records to see whether the land is capable of producing what the law requires. There is a report from the field as to the location of the lands, but the great bulk of the work is done here in the District of Columbia; and the suggestion made would not assist at all, but, in my opinion, it would retard the work greatly.

Mr. KING. Mr. President, may I say one word in reply to my colleague? I do not think there is any necessity for more than \$200,000. Indeed, I think that is too much. But I do not agree with my colleague that the greater part of the work of necessity must be done in the District of Columbia.

An examination must be made of the land to see whether it is suitable for enlarged-homestead entry, for mineral purposes, or what not. That is where the great bulk of the work must be done. After those surveys have been made, the men making them ought to report, of course, and must report, to Washington. As soon as their reports are transmitted some official in Washington will examine them to see whether he concurs in their recommendation; and if he does, or if a board has to pass upon them, and it may be done quickly, all they need to do is to make the necessary entries in the records here showing that that land has been withdrawn, or has been devoted to a particular purpose.

Mr. WALSH of Montana. Mr. President—  
The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Montana?

Mr. KING. I yield.  
Mr. WALSH of Montana. The Senator from Utah will remember that we have had this matter up quite a number of times, and I have not yet been able to get any kind of a satisfactory expression as to why such an enormous amount of money should be used for clerical services here in the District of Columbia. It seems to me that it would take a lot of demonstration to establish that out of an appropriation of \$200,000 for this purpose, \$130,000 must be spent in the District of Columbia. I can not conceive that it can possibly require that amount of money to do the clerical work in the District of Columbia necessary to make available surveys in the field that did not cost more than \$70,000.

I really have been suspicious that these appropriations for clerical services in the District of Columbia are really utilized for some other purpose; that is to say, that the clerks who are supposed to do this work are really doing something else and are paid out of this appropriation.

Mr. SMOOT. Mr. President, the Senator will remember that about two years ago an investigation was made of that question—not only in the Interior Department, but in all of the departments—and there was no doubt after the investigation

that the amount of money they had spent here was spent for the purposes for which it was appropriated.

Let us suppose a question comes up of an enlarged homestead. Immediately somebody from the local land office is sent, perhaps, to make an examination of the ground and its surroundings to see whether the land in fact is such land as should fall within the provisions of the enlarged homestead act. They send their report here, and that ends it, as far as the field is concerned, but all of the detail work has to be done here at Washington.

Mr. WALSH of Montana. That is the point I make. I can not conceive of the work here in Washington costing more than the work in the field, and I do not hesitate to say that this item bears on its face the appearance of a scandal.

Mr. SMOOT. Two years ago appropriations were made for cases where 90 per cent of the appropriations were used in the District of Columbia, and after an investigation of the very item that was complained of it was demonstrated beyond a question of doubt that that was the proper thing to do.

Mr. WALSH of Montana. As I have said, I have not yet been satisfied.

Mr. SMOOT. I felt just exactly as the Senator feels; and if there is a wrong, it ought to be corrected beyond all question of doubt, but past examinations have proven that the division was fair.

Mr. ODDIE. Mr. President, I ask permission to place in the RECORD a statement in regard to this matter from the House hearings.

Mr. SMOOT. Yes; I would like to have that in the RECORD.  
Mr. ODDIE. Showing the great importance of this work and the magnitude of it.

The PRESIDENT pro tempore. Is there objection to the request?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[Hearing before subcommittee of House Committee on Appropriations, November 23, 1926]

For the examination and classification of lands requisite to the determination of their suitability for enlarged homesteads, stock-raising homesteads, public watering places, and stock driveways, or other uses, as required by the public land laws, \$225,000, of which amount not to exceed \$130,000 may be expended for personal services in the District of Columbia.

The appropriation under this item is expended for specific and general examinations and classifications of lands required in the administration of legislative enactments dealing with the disposition of the public domain and the mineral resources thereof. It is devoted to the Government's own real-estate holding.

The specific classifications required under public land statutes—the homestead and mineral leasing laws—comprise the major portion of the work and involve advising other officers of the Government as to the character of lands applied for as determined by field work and office studies. The magnitude of the work and the multiplicity of purposes for which expenditures are made for specific land classification under some of the principal land laws are indicated below:

1. Enlarged homesteads: Determining aridity and irrigability of lands and existence of possible domestic water supply. Outstanding designations since February 19, 1909, when the law was approved, total 324,617,815 acres, involving 55,593 individual applications. During the fiscal year ended June 30, 1926, the area designated was 705,017 acres, embraced in 395 applications; 146 applications were pending as of July 1, 1926, and 190 applications as of November 1. New applications are received at the rate of about 30 a month.

2. Stock-raising homesteads: Determining irrigability, farming value, grazing value, timber value, and capacity of 640 acres to support a family. Outstanding designations since December 29, 1916, total 117,058,346 acres, involving 114,273 applications. During the fiscal year the area designated was 1,041,352 acres, embraced in 3,117 applications, and 1,272 applications were carried over, with 1,307 applications pending November 1. About 250 new applications are received monthly.

3. Mineral leases: With respect to coal, determining whether the lands contain a workable deposit of coal, laying out leasing units in such form and of such area as to permit the most economical mining of the coal, recommending appropriate requirements as to royalty, investment, and production; with respect to oil and gas, determining and defining the "known geologic structure of producing fields," determining the structural relations of lands indicated in applications for prospecting permits, classifying as to prospective oil and gas value lands included in conflicting mineral and nonmineral claims, determining the sufficiency of showings made in support of applications for leases determining the results and geologic bearing of wildcat tests made throughout the public-land States and Alaska on lands reverting to the Government through cancellations of permits or involved in applications for assignment of permits or for extensions of time in which to

commence drilling operations; with respect to potash, phosphate, oil shale, and sodium, the solution of problems similar to the foregoing but differing in detail.

Since February 25, 1920, 37,982 applications for mineral permits and 971 applications for mineral leases have been considered, and at the close of the year 422 permit cases and 23 lease applications were pending, and 439 permits and 18 leases on November 1, exclusive of 460 associated permit cases involving oil or no-oil classification of homestead lands in conflict with permit applications, extensions of time based on group development plans, and reports on drilling activity on or affecting lands embraced in permits subject to cancellation. New mineral leasing applications received average about 500 a month.

In addition, examinations and classifications were required in 3,592 cases involving public watering places, desert-land entries, irrigation district, Carey Act, right of way, water power, and Nevada ground-water reclamation matters. The following table shows the cases received for action during the last two fiscal years:

	Year ended June 30—	
	1925	1926
Cases involving:		
Homesteads.....	3,789	3,306
Mineral leases.....	6,522	7,090
Miscellaneous.....	2,567	2,376
Total.....	12,878	12,772

The total of cases received shows a decrease of less than 1 per cent and this decrease is more than offset by the marked increase in complexity of the problems involved, necessitating a far greater amount of detailed field examination. On June 30, 1925, pending cases totaled 2,363, while on June 30, 1926, they totaled 2,784, indicating an increase of 421 cases, or nearly 18 per cent. Expressed differently, in spite of a slight decrease in number of cases received, the work has fallen behind nearly two weeks.

The work of general classification consists in gathering and compiling information as to the agricultural, water, and mineral resources as a basis for classification, withdrawal, restoration, and designation, under appropriate laws. Proper classification, either general or specific, of lands under the laws is exceedingly complex and requires highly trained and experienced experts in engineering, geology, and scientific agriculture. The progress in general classification is necessarily limited to what can be accomplished after rendering a prompt and businesslike service to the public on individual applications. It has taxed to the utmost the efforts of the survey in recent years in an attempt to keep current the work required for specific classification and the broad areal or general classification has been carried on only as an incident to the specific work.

Since the enactment of the stockraising and mineral leasing laws progress in classifying the millions of acres in the West now embraced in coal, oil, phosphate, and potash withdrawals has been slow and, with the decreasing appropriations of recent years, has been getting slower and slower. On June 30, 1926, coal withdrawals awaiting examination, classification, and restoration aggregated in excess of 30,500,000 acres, petroleum withdrawals in excess of 5,800,000 acres, phosphate withdrawals in excess of 2,000,000 acres, and potash withdrawals in excess of 7,500,000 acres. During the year net decreases were made of 313,754 acres in coal withdrawals and 137,904 acres in oil withdrawals. The progress in classification thus indicated is less than ever before, being less than a fourth of the average rate for the last six years.

Another outstanding item of work in general classification is the examination of public lands valuable for water power. The work consists primarily in obtaining and making available for administrative purposes information as to water-power resources with an endeavor to determine how the possibility of power development may be preserved with minimum interference with agricultural, transportation, and other interests. The extent of the task is indicated by the fact that more than 5,000,000 acres are now included in power reserves whose use will be required for the development of about 15,000,000 continuous horsepower.

The increasing pressure for classification of lands with respect to power value is best indicated by the growth of water-power development on the Pacific coast and in the mountain States in which probably over 90 per cent of the developments occupy public lands. In 1920, 6,340,000 kilowatt-hours of energy were produced by public utility plants from water power, equivalent to a coal consumption of 1,560,000 tons or 31,700,000 barrels of oil. By 1925 the water-power production had jumped 56 per cent to 9,876,000,000 kilowatt-hours, equivalent to 2,240,000 tons of coal or 49,400,000 barrels of oil.

Mr. KING. Mr. President, I offer an amendment to the amendment. I move to strike out the figures "\$130,000."

Mr. SMOOT. Let us have action on the amendment of the Senator from Nevada first, increasing the amount to \$240,000.

Mr. KING. I think, if the Senator will permit me to offer my amendment and have it take precedence over that of the Senator from Nevada—

Mr. ODDIE. I will permit that.

The PRESIDENT pro tempore. Let the Chair understand. Does the Senator from Nevada withdraw his amendment in order that the Senator from Utah may offer his?

Mr. ODDIE. Temporarily.

The PRESIDENT pro tempore. The Senator from Utah will state his amendment.

Mr. KING. I move to strike out "\$130,000" and to insert in lieu thereof "\$75,000" so that it will allow \$75,000 out of \$200,000 to be spent in the District of Columbia when the work to be done is to go out into the West to examine the lands in the mountains and in the valleys to see whether they are suitable for various purposes. The work is to be done there and not here, and \$75,000 is really too much.

Mr. SMOOT. Mr. President, all I have to say is that if that amendment shall be agreed to the work will be retarded. The bulk of the work must be done in the District of Columbia, and therefore we will not get what we are hoping for in the West.

Mr. ODDIE. Mr. President, I believe there is a wrong idea in the mind of the junior Senator from Utah, because, in speaking of clerks as he does, he overlooks the fact that many of the employees of the Geological Survey engaged in this work are scientifically trained technical men. It is highly important that this work shall not be disturbed or retarded in any way.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the junior Senator from Utah. The amendment was rejected.

Mr. ODDIE. Mr. President, I reoffer my amendment on page 74, line 23, to strike out "\$200,000" and insert "\$240,000."

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Nevada. [Putting the question.] The yeas seem to have it.

Mr. ODDIE. I demand the yeas and nays.

The yeas and nays were not ordered.

Mr. ODDIE. I demand a division on the question.

On a division the amendment was rejected.

Mr. HARRELD. Mr. President, I offer an amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 55, at the end of line 1, after the word "Choctaw," insert the word "Nation"; before the word "Chickasaw," in line 2, page 55, insert the words "and one mining trustee for the"; and strike out the words "heretofore paid" at the end of line 2 and beginning at line 3 page 53, and insert in lieu thereof the words "of \$2,000 each," so as to make the paragraph read:

For the current fiscal year, money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation and one mining trustee for the Choctaw Nation and one mining trustee for the Chickasaw Nation at salaries at the rate of \$2,000 each, and the chief of the Creek Nation at a salary not to exceed \$600 per annum, and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided further*, That the expenses of any of the above-named officials shall not exceed \$2,500 per annum each for chiefs and governor except in the case of tribal attorneys, whose expenses shall be determined and limited by the Commissioner of Indian Affairs, not to exceed \$4,000 each.

Mr. HARRELD. Mr. President, I want to make just a brief statement with reference to the amendment. The Choctaw and Chickasaw Nations of Indians jointly own a lot of coal lands, many of which have already been leased, and some of which are now being leased. Under their agreement each nation is to have a mining trustee to look after the interests of the respective nations in the joint lands which they own. That was the rule until about two years ago, when, in the interest of economy, the Congress took out the provision in the appropriation bill for two trustees, and it was arranged that there might be only one. That left the Chickasaw Nation without representation. They have petitioned at various times for the restoration of their representation and for the establishment of another coal-mining trustee for their interests. As a part of my remarks I ask permission to have printed in the Record the body of a petition to that effect.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The petition is as follows:

ARDMORE, OKLA., December 10, 1926.

STATE OF OKLAHOMA,

County of \_\_\_\_\_,

To the honorable Secretary of the Interior, honorable Commissioner of Indian Affairs, Oklahoma United States Senators, and Governor of the Chickasaw Nation:

We, the undersigned, being members of the Chickasaw and Choctaw Tribes of Indians, and being interested in the affairs of said tribes, and having learned that the Chickasaw Tribe has no representative upon the board of coal-mining trustees, as provided for under the Atoka agreement, and feeling that such vacancy should be filled in order that our interest might be fully protected, and in compliance with said agreement, we respectfully request of you that a representative be appointed to serve on said board on behalf of the Chickasaw Tribe of Indians as provided for under said agreement.

We realize that the Chickasaw and Choctaw coal properties are the greatest asset now left belonging to said tribes, and that the same should be looked after with the greatest care possible.

Mose Chigley, Davis, Okla.; Cal Stewart, Ardmore, Okla.; Jackson Carnes, Ardmore, Okla.; I. B. Thompson, Ravia, Okla.; C. H. Brown, Ardmore, Okla.; James Dejein Gardner, Davis; Snouprey, Ada; George Owens, Stonewall, Okla.; W. S. Stewart, Wynne Wood; Ethel D. Rollow, Wynne Wood; Lucy Runyon, Maysville, Okla.; Lulu Stewart, Wynne Wood; Illa Stewart, Wynne Wood; W. A. Whit, Wynne Wood; Dotson Lilley, Ada, Okla.; Eddie Gipson, Franks, Okla.; Mrs. G. C. Harris, Ada, Okla.

ARDMORE, OKLA., November 30, 1926.

STATE OF OKLAHOMA,

County of \_\_\_\_\_,

To the honorable Secretary of the Interior, honorable Commissioner of Indian Affairs, Oklahoma United States Senators, and Governor of the Chickasaw Nation:

We, the undersigned, being members of the Chickasaw and Choctaw Tribes of Indians, and being interested in the affairs of said tribes and having learned that the Chickasaw Tribe has no representative upon the board of coal mining trustees as provided for under the Atoka agreement, and feeling that such vacancy should be filled in order that our interest might be fully protected, and in compliance with said agreement, we respectfully request of you that a representative be appointed to serve on said board on behalf of the Chickasaw Tribe of Indians as provided for under said agreement.

We realize that the Chickasaw and Choctaw coal properties are the greatest asset now left belonging to said tribes and that the same should be looked after with the greatest care possible.

A. A. Aldrich, Ada, Okla., Box 726; Susan N. Aldrich, Ada, Okla., Box 726; D. E. Collins, Wilson, Okla., Route A-121; Cynthia C. Collins, Wilson, Okla., Route A-121; Mrs. R. D. Runyans, Ada, Okla., 123 East Tenth Street; Mrs. W. V. Looney, Ada, Okla.; J. L. Kemp, Ardmore, Okla.; Esther P. Aldrich, Ada, Okla., 423 North Beard; A. N. Aldrich, Ada, Okla., 423 North Beard; Simon Pery, Ada; Lawrence James, Connerville, Okla.; Dixon James, Connerville, Okla.; Osberne Nedd, Connerville, Okla.; Mrs. J. W. Wellor, Durant, Okla.; Serena Chandler, Stonewall, Okla.; Lillie M. Sealey, Stonewall, Okla.; Jefferson Vance, Stonewall, Okla.; W. S. Stewart, Wynne Wood, Okla.; C. H. Hensley, Roff, Okla.; E. L. Victor, Allen, Okla.; E. C. Stewart, Wynne Wood, Okla.; M. A. White; Ethel D. Rollow, Wynne Wood, Okla.; Illa Stewart, Wynne Wood, Okla.; Lulu M. Stewart, Wynne Wood; Mrs. Lucy Runyon, Maysville, Okla.; W. M. Gaddis, Ada; T. W. Anderson, Ada, Okla.; Walter Hensley, Wynne Wood; James Dolphian Gardner, Davis, George Owens, Stonewall, Okla., Route 3; Mrs. G. C. Harris, Ada, Okla.; Eddie Gipson, Franks, Okla.; Barney Abbott, Ada; Walter Harris, Ada.

Mr. HARRELD. The amendment proposes to restore what was in effect previously in order that each nation shall have a representative, but that the salary of one shall be divided between the two. It does not increase the appropriation.

Mr. SMOOT. I see no objection to the amendment. I appreciate that it is a carrying out of the original plan. It does not increase the appropriation at all, but pays two men \$2,000 each instead of one man \$4,000.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Oklahoma.

The amendment was agreed to.

Mr. TRAMMELL. Mr. President, a few moments ago the chairman of the committee in charge of the bill offered an amendment providing for an appropriation for Howard Uni-

versity. At the moment my attention was diverted and the question seems to have been carried by default. I am opposed to the amendment, and I desire to submit a motion to reconsider the vote by which it was agreed to.

Mr. SMOOT. The Senator need not make the motion. I will ask unanimous consent, if he desires, because that will save time.

Mr. TRAMMELL. I ask that that may be done.

The PRESIDENT pro tempore. The Senator from Florida asks unanimous consent to recur to the amendment submitted by the committee making appropriations for Howard University and for a reconsideration thereof. Is there objection? The Chair hears none, and it is so ordered.

Mr. TRAMMELL. Mr. President, I shall only refer to the amendment briefly. It has been discussed here from time to time. This is a matter of making appropriations for a private institution. I am unequivocally opposed to the amendment and the appropriation because it is a discrimination in the nature of an appropriation made for a private institution. Congress is attempting to appropriate and will appropriate, if the amendment is agreed to, a sum of money for this college in discrimination of the general policy of Congress. Congress does not appropriate money for private colleges and schools scattered throughout the country, and yet this one institution is singled out for the beneficence of the Federal Government. In my opinion, it is a situation that does not warrant favorable action on the part of Congress. Congress should not discriminate in this way.

I do not oppose the appropriation because it happens to be for a negro institution. I oppose it because it is a discrimination pure and simple, and Congress should not be guilty of a prostitution of public funds to help an institution when it is not the policy to help other similar institutions. The principle is bad, and it is a wrong precedent for Congress to establish. Throughout the Nation in all the States we have a number of worthy institutions which we would like to have Congress make direct appropriations to assist. In my State and in all the States there are institutions where the people would welcome Federal aid for the support of their schools. If we should come here and ask for an appropriation of three or four hundred dollars for a very worthy private institution in my State or in the State of New York or California or Colorado, or any other State of the Union, we know what would be the inevitable result. It would be that the proposition would be defeated by Congress upon the basis of it being a bad policy and a wrong precedent. Yet at every session of Congress we are asked to contribute from the Federal funds some six or eight hundred thousand dollars for the support of this institution. I am very much opposed to the amendment and hope it will be rejected.

Mr. BLEASE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BLEASE. Mr. President, I ask unanimous consent to withdraw the point of no quorum.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. SMOOT. I now ask unanimous consent to amend the amendment of the committee, to which we recurred at the request of the Senator from Florida.

I ask that the last two lines of the amendment which I send to the desk with reference to Howard University be stricken out, as follows:

For the construction of one additional dormitory building for young women, \$150,000.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Utah to the amendment submitted by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. WHEELER. Mr. President, I would like to direct the attention of the senior Senator from Utah to page 52, line 4. After the word "Flathead" I move to amend by striking out the figures "\$40,000" and substituting in lieu thereof "\$20,000"; also in line 6, in the total, strike out "\$92,000" and insert in lieu thereof "\$72,000."

The amendment was agreed to.

Mr. SMOOT. That will necessitate another amendment on page 53 in the total, to strike out "\$1,434,800" and to insert in lieu thereof "\$1,414,800."

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

#### FOREIGN-DEBT SETTLEMENT

Mr. SMOOT. Mr. President, I ask consent of the Senate just for a few moments to make a very brief statement.

The PRESIDENT pro tempore. Without objection, the Senator will proceed.

Mr. SMOOT. Mr. President, the publicity efforts of the professors of economics at Columbia in connection with the settlement of the war debts contain assumptions which should have correction.

First. It is assumed by the Columbia professors that capacity to pay, as employed by the Debt Commission, meant the highest amount which could be collected from the debtor nation by complete exhaustion of the debtor's resources. As a matter of fact, capacity to pay in the conception of the commission represented the ability of the debtor nation to pay, taking into consideration all its external and internal obligations and the continued full development of its national life. France's debt agreements with America and England represent only half of what it expects to receive from Germany. Italy has set up a fund into which are paid German reparations and out of which can be paid the British and American debts. The prearmistice Belgium payments are fixed at less than the receipts from Germany on this same account. The debt settlements, particularly in the earlier years, do not interfere with the economic life of the continental nations. It is claimed too heavy a burden was imposed upon England. The settlement of the American debt was a material factor in the stabilization of the British currency. It is significant that by bringing sterling exchange to parity England in paying its adverse international trade balance saves each year much more than the annuity on the American debt. It has also been stated that England has lost more through the coal strike than the entire American debt. These examples simply illustrate the relative financial importance of the settlements, but for some reason every attack on the Debt Commission finds it necessary to exaggerate the actual financial burden imposed on the debtors.

Second. It is assumed that the Debt Commission was bound by limitations set by Congress. The Debt Commission was given the power, without returning to Congress, to make settlements on a 4 1/4 per cent 25-year basis. No settlements were made on that basis, but in each case the commission negotiated an agreement which it and the representatives of the debtor thought fair, and that particular agreement was approved by Congress. In no case were the limitations in the statute a restriction on negotiations. There was the utmost flexibility.

Third. It is assumed that generosity did not enter into the negotiations of the commission. It certainly was very lenient to Italy, and it can not be condemned as harsh to France when there is imposed no greater burden on that nation than the collection of the postarmistice indebtedness at 5 per cent interest. The figures show that in the treatment of our half dozen or so relief debtors England imposed a much heavier relative burden than did America in settling for loans made by England at the same time to the same debtors and for the same purposes. French papers admit the Franco-British settlement, all things considered, is much more burdensome than the Franco-American settlement. No test of generosity is set up by the Columbia professors, but it is just assumed America was ungenerous.

Fourth. The Columbia professors complain because all debtors are not treated on an equality. They speak of a settlement of 80 per cent present value with Great Britain and 26 per cent present value with Italy. Do they propose to correct this want of equality by raising the Italian settlement to that of the British, which, of course, would impose a burden impossible of performance by Italy, or do they propose that the British be reduced to 50 per cent and the Italian raised to 50 per cent, which would make an easy settlement for Great Britain and still an impossible settlement for Italy; or do they propose that the British settlement shall be brought down to the Italian 26 per cent, thus imposing no real burden on England at all? If the last is their proposition, then why can not Italy say its 26 per cent should be reduced to zero because we are collecting nothing from another debtor, as, for instance, Armenia? The whole proposition is an absurdity. If it means anything it means complete cancellation. It seems disingenuous to state the professors are against cancellation and still urge a method of settlement of the question which inevitably means cancellation.

Fifth. As their suggestion is understood, it is proposed that the United States go into a joint conference to fix the amount of these debts upon the standard of "equality" and "generosity."

They do not state at whose expense generosity is to take place. Of course, not of Columbia University, which enjoys the privilege of exemption from taxation and therefore would feel not at all any cancellation of debts. The whole proposition of the Columbia professors amounts to a proposed conference between ourselves, a minority of one, and our debtors, all the rest of the proposed conferees. The debtors are to fix how much, if any, of their debts they wish to pay. The standards of "equality" and "generosity" will be applied by the debtors.

Sixth. Like so many good-intentioned people, the Columbia professors, instead of accomplishing the benefits which they seek to confer, are actually doing harm to those they say they would help. What Europe needs is certainty. The French can without question pay the earlier years of the debt settlement and, with a return of economic stability, the later years surely also can be met. What they need is some certainty in their fiscal affairs, which they can only obtain if they make definite the obligations which they have to meet. The pronouncement of the Columbia professors is, as was to be expected, now being used to strengthen the opposition in France to a ratification of the Mellon-Berenger agreement and therefore has become an active factor in the maintenance of this very uncertainty from which all Europe is trying desperately to rid itself. The Columbia professors permit their idealism to seek publicity just at this time to the embarrassment of Poincare in the difficult work which lies before him.

#### EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and the Senate (at 3 o'clock and 39 minutes p. m.) adjourned, the adjournment being, under the concurrent resolution of the two Houses, until Monday, January 3, 1927, at 12 o'clock meridian.

#### NOMINATIONS

*Executive nominations received by the Senate December 22, 1926*

##### UNITED STATES CIRCUIT JUDGE

Frank S. Dietrich, of Idaho, to be United States circuit judge, ninth circuit, vice Wallace McCamant, resigned.

##### UNITED STATES DISTRICT JUDGE

Charles C. Cavanah, of Idaho, to be United States district judge, district of Idaho, vice Frank S. Dietrich, nominated to be circuit judge, ninth circuit.

##### UNITED STATES ATTORNEYS

Lindsay B. Phillips, of Tennessee, to be United States attorney, western district of Tennessee, vice Nugent Dodds, appointed by court. (Mr. Phillips is now serving under a recess appointment.)

A. V. McLane, of Tennessee, to be United States attorney, middle district of Tennessee. A reappointment, his term having expired.

#### POSTMASTERS

##### ALABAMA

William E. Crawford to be postmaster at Decatur, Ala., in place of W. E. Crawford. Incumbent's commission expired April 4, 1926.

##### ARIZONA

John M. Turner to be postmaster at Peoria, Ariz., in place of J. M. Turner. Incumbent's commission expired September 12, 1926.

Allie A. Dickerman to be postmaster at Tucson, Ariz., in place of A. A. Dickerman. Incumbent's commission expires January 26, 1927.

##### ARKANSAS

Edgar H. Finch to be postmaster at Crossett, Ark., in place of H. D. Cammack. Incumbent's commission expired May 5, 1926.

George Rule, jr., to be postmaster at Lonoke, Ark., in place of George Rule, jr. Incumbent's commission expired December 4, 1926.

##### CALIFORNIA

Francis C. Harvey to be postmaster at Rivera, Calif., in place of F. C. Harvey. Incumbent's commission expired June 3, 1926.

Fred C. Alexander to be postmaster at Yosemite National Park, Calif., in place of F. C. Alexander. Incumbent's commission expired April 7, 1926.

Alice McNamee to be postmaster at Castroville, Calif. Office became presidential July 1, 1926.

## FLORIDA

Herbert E. Ross to be postmaster at Jacksonville, Fla., in place of H. E. Ross. Incumbent's commission expired September 5, 1926.

Frank J. Owens to be postmaster at Kelsey City, Fla. Office became presidential April 1, 1926.

## GEORGIA

Annie K. Bunn to be postmaster at Cedartown, Ga., in place of A. K. Bunn. Incumbent's commission expired December 4, 1926.

Esther McCollum to be postmaster at Conyers, Ga., in place of Esther McCollum. Incumbent's commission expired May 4, 1926.

Estelle Willis to be postmaster at Hardwick, Ga., in place of Estelle Willis. Incumbent's commission expired September 22, 1926.

## IDAHO

Joseph S. Cooper to be postmaster at Carey, Idaho, in place of Pearl Lewis, resigned.

## ILLINOIS

Laura M. Giesecking to be postmaster at Altamont, Ill., in place of L. M. Giesecking. Incumbent's commission expired December 13, 1926.

Fred J. Bohnenkemper to be postmaster at Germantown, Ill., in place of F. J. Bohnenkemper. Incumbent's commission expired May 3, 1926.

John F. Flickinger to be postmaster at Lanark, Ill., in place of J. F. Flickinger. Incumbent's commission expired December 21, 1926.

Hazel M. Riber to be postmaster at South Pekin, Ill., in place of Charles DeKeuster, removed.

Herbert L. East to be postmaster at Highwood, Ill., in place of J. E. Crowley, resigned.

## INDIANA

Earl D. Robison to be postmaster at Attica, Ind., in place of E. D. Robison. Incumbent's commission expired September 14, 1926.

Calvin Ulrey to be postmaster at North Manchester, Ind., in place of Calvin Ulrey. Incumbent's commission expired July 17, 1926.

Chester M. Davis to be postmaster at St. Paul, Ind., in place of C. M. Davis. Incumbent's commission expired May 20, 1926.

James C. Brown to be postmaster at Salem, Ind., in place of J. C. Brown. Incumbent's commission expired December 4, 1926.

Edith A. Wetzler to be postmaster at Sunman, Ind., in place of E. A. Wetzler. Incumbent's commission expired May 20, 1926.

Isaac Sutton to be postmaster at Waynetown, Ind., in place of Isaac Sutton. Incumbent's commission expired September 22, 1926.

Charlie E. Smith to be postmaster at Coal City, Ind. Office became presidential July 1, 1926.

## IOWA

Frank B. Moreland to be postmaster at Ackley, Iowa, in place of F. B. Moreland. Incumbent's commission expired December 12, 1926.

Henry C. Haynes to be postmaster at Centerville, Iowa, in place of H. C. Haynes. Incumbent's commission expired December 21, 1925.

Albert R. Kullmer to be postmaster at Dysart, Iowa, in place of G. M. Casey. Incumbent's commission expired December 4, 1926.

Benjamin S. Borwey to be postmaster at Eagle Grove, Iowa, in place of B. S. Borwey. Incumbent's commission expired July 24, 1926.

George F. Monroe to be postmaster at Fairbank, Iowa, in place of G. F. Monroe. Incumbent's commission expired December 12, 1926.

Guy A. Whitney to be postmaster at Hubbard, Iowa, in place of G. A. Whitney. Incumbent's commission expired December 12, 1926.

George Banger to be postmaster at La Porte City, Iowa, in place of George Banger. Incumbent's commission expired July 24, 1926.

Raymond S. Blair to be postmaster at Parkersburg, Iowa, in place of R. S. Blair. Incumbent's commission expires December 30, 1926.

George Sampson to be postmaster at Radcliffe, Iowa, in place of George Sampson. Incumbent's commission expired December 12, 1926.

Linn L. Smith to be postmaster at Webb, Iowa, in place of J. L. Addington, resigned.

## KANSAS

Nellie C. Preston to be postmaster at Buffalo, Kans., in place of M. E. Lee. Incumbent's commission expired October 25, 1925.

## KENTUCKY

Sidney A. Lovelace to be postmaster at London, Ky., in place of S. A. Lovelace. Incumbent's commission expired December 4, 1926.

## LOUISIANA

James A. Gannon to be postmaster at Natchitoches, La., in place of Charles DeBlieux. Incumbent's commission expired May 24, 1926.

## MAINE

Ida K. Stewart to be postmaster at South Gardiner, Me. Office became presidential July 1, 1926.

## MARYLAND

Ethel V. Van Fossen to be postmaster at Walkersville, Md., in place of C. L. Smith. Incumbent's commission expired March 31, 1926.

Elmer W. Sterling to be postmaster at Church Hill, Md. Office became presidential July 1, 1925.

## MICHIGAN

Ida L. Sherman to be postmaster at Pullman, Mich., in place of I. L. Sherman. Incumbent's commission expired December 8, 1926.

Leroy M. Gunniss to be postmaster at Algonac, Mich., in place of F. R. Hemenger, resigned.

John J. Ellis, jr., to be postmaster at Calumet, Mich., in place of Oscar Keckonen, deceased.

## MINNESOTA

Nelse Monson to be postmaster at Belview, Minn., in place of Nelse Monson. Incumbent's commission expired September 19, 1926.

Bertha Finch to be postmaster at Butterfield, Minn., in place of Bertha Finch. Incumbent's commission expired August 30, 1926.

William G. Early to be postmaster at Eyota, Minn., in place of W. G. Early. Incumbent's commission expired December 4, 1926.

Kenneth S. Keller to be postmaster at Kasson, Minn., in place of K. S. Keller. Incumbent's commission expired July 17, 1926.

James A. Christenson to be postmaster at Preston, Minn., in place of J. A. Christenson. Incumbent's commission expired August 4, 1926.

Jonas W. Howe to be postmaster at Stewartville, Minn., in place of J. W. Howe. Incumbent's commission expired December 16, 1926.

Fred F. Campbell to be postmaster at White Bear Lake, Minn., in place of F. F. Campbell. Incumbent's commission expired September 8, 1926.

Floyd H. McCrory to be postmaster at Rockford, Minn., in place of C. A. Farnham, deceased.

## MISSISSIPPI

Minnie B. Dubuisson to be postmaster at Long Beach, Miss., in place of M. B. Dubuisson. Incumbent's commission expired September 20, 1926.

Hammond H. Hinton to be postmaster at Lumberton, Miss., in place of H. H. Hinton. Incumbent's commission expired February 17, 1926.

Henry E. Wamsley to be postmaster at A. and M. College, Miss., in place of G. C. Gunn, removed.

Henry C. Glover to be postmaster at Bay St. Louis, Miss., in place of A. R. Hart, resigned.

## MISSOURI

Emanuel S. Lawbaugh to be postmaster at St. Marys, Mo., in place of H. G. Roseman, deceased.

## MONTANA

Franklin R. Whaley to be postmaster at Fairview, Mont., in place of F. R. Whaley. Incumbent's commission expires December 23, 1926.

## NEBRASKA

Mina R. McCulley to be postmaster at Bassett, Nebr., in place of M. R. McCulley. Incumbent's commission expired December 12, 1926.

Kathrene Patrick to be postmaster at Ericson, Nebr., in place of Kathrene Patrick. Incumbent's commission expired December 22, 1926.

Chester C. Alden to be postmaster at Whitman, Nebr., in place of C. C. Alden. Incumbent's commission expires December 27, 1926.

Earl S. Murray to be postmaster at Bloomington, Nebr., in place of G. W. Green, removed.

## NEW JERSEY

Charles R. Stoneall to be postmaster at Ridgewood, N. J., in place of C. R. Stoneall. Incumbent's commission expired June 26, 1926.

Reid Howell to be postmaster at Rutherford, N. J., in place of Reid Howell. Incumbent's commission expired August 29, 1926.

William F. Vredenburg to be postmaster at Caldwell, N. J., in place of A. J. Bell, resigned.

Robert Chapman to be postmaster at South Amboy, N. J., in place of Frank Hoffman, resigned.

## NEW YORK

William D. Walling to be postmaster at Hudson Falls, N. Y., in place of W. D. Walling. Incumbent's commission expired December 4, 1926.

George Anderson to be postmaster at Thornwood, N. Y., in place of Adolph Frees. Incumbent's commission expired August 30, 1926.

Ethel C. Smith to be postmaster at Adams Center, N. Y., in place of H. P. Maxson, resigned.

## NORTH CAROLINA

Wade H. Kinlaw to be postmaster at Lumberton, N. C., in place of T. L. McGill. Incumbent's commission expired June 12, 1926.

Don H. Gosorn to be postmaster at Old Fort, N. C., in place of D. H. Gosorn. Incumbent's commission expired December 4, 1926.

Bertha I. Hauser to be postmaster at East Bend, N. C. Office became presidential July 1, 1926.

Mrs. Ezra Wyatt to be postmaster at Hobgood, N. C., in place of I. M. Parker, resigned.

## NORTH DAKOTA

Nellie W. Fowler to be postmaster at Center, N. Dak., in place of N. W. Fowler. Incumbent's commission expired October 3, 1925.

August Kreidt to be postmaster at New Salem, N. Dak., in place of August Kreidt. Incumbent's commission expired March 24, 1926.

John V. Kuhn to be postmaster at Richardton, N. Dak., in place of J. V. Kuhn. Incumbent's commission expired May 4, 1926.

Orrin McGrath to be postmaster at Glen Ullin, N. Dak., in place of G. A. Falk, resigned.

## OHIO

Clarence E. Dowling to be postmaster at Prairie Depot, Ohio, in place of C. E. Dowling. Incumbent's commission expired December 11, 1926.

William F. Hains to be postmaster at Wilmington, Ohio, in place of W. F. Hains. Incumbent's commission expired May 5, 1926.

Perry L. Livingston to be postmaster at Leavittsburg, Ohio, in place of W. C. Reeker, resigned.

## OKLAHOMA

Nellie E. Vincent to be postmaster at Mutual, Okla., in place of N. E. Vincent. Incumbent's commission expired May 16, 1926.

Jonas R. Cartwright to be postmaster at Shattuck, Okla., in place of J. R. Cartwright. Incumbent's commission expired August 29, 1926.

Bertha A. Wolverson to be postmaster at Wapanucka, Okla., in place of P. E. Hatchett. Incumbent's commission expired February 21, 1926.

Roy Patterson to be postmaster at Capron, Okla. Office became presidential July 1, 1926.

Lloyd D. Truitt to be postmaster at Helena, Okla., in place of I. T. Boldrey, resigned.

## PENNSYLVANIA

John W. Howes to be postmaster at Fayette City, Pa., in place of J. W. Howes. Incumbent's commission expired December 13, 1926.

Wallace E. Shissler to be postmaster at Johnstown, Pa., in place of W. W. Davis. Incumbent's commission expired April 13, 1926.

Edward R. Dissinger to be postmaster at Mount Gretna, Pa., in place of E. R. Dissinger. Incumbent's commission expired July 21, 1926.

Harry C. Koller to be postmaster at Myerstown, Pa., in place of H. C. Koller. Incumbent's commission expired August 24, 1926.

Smith M. McCreight to be postmaster at Reynoldsville, Pa., in place of S. M. McCreight. Incumbent's commission expired December 13, 1926.

Carrie A. Fritz to be postmaster at Rimersburg, Pa., in place of C. A. Fritz. Incumbent's commission expired December 13, 1926.

Harvey E. Rogers to be postmaster at Spring City, Pa., in place of W. M. Clevensine. Incumbent's commission expired June 5, 1924.

John F. Hawbaker to be postmaster at West Fairview, Pa., in place of J. F. Hawbaker. Incumbent's commission expired August 24, 1926.

Arthur J. Argall to be postmaster at Braddock, Pa., in place of R. W. Edmunds, deceased.

## SOUTH DAKOTA

Clarence A. Carlson to be postmaster at Philip, S. Dak., in place of J. B. Goff, deceased.

## TENNESSEE

Gordon P. Hyatt to be postmaster at Ducktown, Tenn., in place of G. P. Hyatt. Incumbent's commission expired August 29, 1926.

Gertrude Jamison to be postmaster at Millington, Tenn., in place of C. A. Jamison. Incumbent's commission expired May 5, 1926.

Joseph M. Patterson to be postmaster at Watertown, Tenn., in place of J. M. Patterson. Incumbent's commission expired January 17, 1926.

## TEXAS

Robbie G. Ellis to be postmaster at Fort Davis, Tex., in place of W. E. Bogle. Incumbent's commission expired September 11, 1926.

Lock M. Adkins to be postmaster at Beeville, Tex., in place of P. B. Mueller, resigned.

Lucille H. Tunnell to be postmaster at Gregory, Tex., in place of R. N. Porter, resigned.

Fannie M. Black to be postmaster at Perryton, Tex., in place of J. C. Beaver, removed.

Hubert D. Boyd to be postmaster at Southland, Tex. Office became presidential July 1, 1926.

## UTAH

Jesse M. French to be postmaster at Greenriver, Utah, in place of J. M. French. Incumbent's commission expired December 16, 1926.

Lydia R. Shaw to be postmaster at Huntington, Utah, in place of L. R. Shaw. Incumbent's commission expires December 30, 1926.

Glen A. Jensen to be postmaster at Manti, Utah, in place of G. A. Jensen. Incumbent's commission expired December 4, 1926.

Walter O. Lundgreen to be postmaster at Monroe, Utah, in place of W. O. Lundgreen. Incumbent's commission expires December 23, 1926.

Sidney W. Elswood to be postmaster at Tremonton, Utah, in place of S. W. Elswood. Incumbent's commission expired December 16, 1926.

Josephine H. Day to be postmaster at Woods Cross, Utah, in place of J. A. Hatch, deceased.

## VERMONT

John T. Tudhope to be postmaster at North Hero, Vt. Office became presidential July 1, 1926.

## WEST VIRGINIA

Hobert Parnell to be postmaster at Stirrat, W. Va. Office became presidential July 1, 1926.

## WISCONSIN

John A. Mathys to be postmaster at Casco, Wis., in place of J. A. Mathys. Incumbent's commission expired April 28, 1926.

Tom C. Snyder to be postmaster at Belmont, Wis., in place of Edward Hemphill. Incumbent's commission expired April 7, 1926.

John F. Lambert to be postmaster at Crandon, Wis., in place of A. V. Carpenter. Incumbent's commission expired November 18, 1925.

Clyde C. Ellis to be postmaster at Elkhart Lake, Wis., in place of C. C. Ellis. Incumbent's commission expired June 24, 1926.

Albert F. Hahn to be postmaster at Humbird, Wis., in place of A. F. Hahn. Incumbent's commission expired April 7, 1926.

Eugene B. Williams to be postmaster at Hurley, Wis., in place of E. B. Williams. Incumbent's commission expired February 15, 1926.

Mabel A. Dunwiddie to be postmaster at Juda, Wis., in place of M. A. Dunwiddie. Incumbent's commission expired February 15, 1926.

Hazel I. Hicks to be postmaster at Linden, Wis., in place of H. I. Hicks. Incumbent's commission expired March 20, 1926.

Alex P. Gertschen to be postmaster at Marathon, Wis., in place of Ella Barber. Incumbent's commission expired April 28, 1926.

Guy G. Nelson to be postmaster at Palmyra, Wis., in place of G. G. Nelson. Incumbent's commission expired June 24, 1926.

Laura K. Duerrwaechter to be postmaster at South German town, Wis., in place of L. K. Duerrwaechter. Incumbent's commission expired January 18, 1926.

Leonard A. Krueger to be postmaster at Dalton, Wis., in place of R. E. Caves, resigned.

Earl E. Murdock to be postmaster at Gresham, Wis. Office became presidential July 1, 1924.

David R. Fryklund to be postmaster at Prentice, Wis., in place of A. L. Grimm, resigned.

Anthony F. Ritchie to be postmaster at Winchester, Wis., in place of Vera Finnell, resigned.

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate December 22, 1926*

##### UNITED STATES CIRCUIT JUDGE

Thomas W. Swan, second circuit of Connecticut.

##### MEMBER OF BOARD OF MEDIATION

Hywel Davies.

##### MEMBER OF CALIFORNIA DÉBRIS COMMISSION

Capt. Thomas H. Jackson.

##### COMMISSIONER OF IMMIGRATION

Luther Weedon, Seattle, Wash.

##### UNITED STATES MARSHALS

Samuel Purvis, middle district of Georgia.

William M. Palmer, western district of Louisiana.

##### REGISTERS OF THE LAND OFFICES

Edward J. Rodrigue, Baton Rouge, La.

Murdock Donald Nicholson, Great Falls, Mont.

Harry B. Drum, Billings, Mont.

##### COAST GUARD

##### *To be commanders*

Benjamin A. Brockway.

Roger C. Weightman.

Cecil M. Gabbett.

Wales A. Benham.

Charles F. Howell.

##### *To be captain (engineering)*

Hermann Kotzschmar.

##### *To be commander (engineering)*

Charles A. Wheeler.

#### APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE ARMY

##### GENERAL OFFICERS

##### *To be major generals, Reserve*

Maj. Gen. David Prescott Barrows.

Maj. Gen. William Nafew Haskell.

##### *To be brigadier generals, Reserve*

Walter Edward Bare.

Frank Rudolph Schwengel.

Ransom Hoocker Gillett.

Walter Perry Story.

James Ambrose Haggerty.

Paul Hugo Weyrauch.

John Henry Schouten.

#### REAPPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE ARMY

##### GENERAL OFFICERS

##### *To be brigadier generals, Medical Corps Reserve*

George Washington Crile.

Fred Towsley Murphy.

Charles Horace Mayo.

Henry Alden Shaw.

##### *To be brigadier generals, Reserve*

Lincoln C. Andrews.

Leigh Robinson Gignilliat.

Walter Crosby Babcock.

Cary Fletcher Spence.

Milton Fennimore Davis.

##### *Brigadier generals, Auxiliary Reserve*

Frank Billings.

Thornwell Mullally.

John Joseph Carty.

William Henry Welch.

William James Mayo.

#### *To be brigadier general, Reserve*

John Van Bokkelen Metts.

##### POSTMASTERS

##### ARIZONA

John M. Turner, Peoria.

Allie A. Dickerman, Tucson.

##### CALIFORNIA

Herman C. Lewis, Artesia.

Charles K. Niblack, Lankershim.

Charles M. Smith, Lomita.

George L. Baker, Monrovia.

Jessica H. Wright, Sierra Madre.

Frederick W. Brinker, Temple.

##### CONNECTICUT

Joseph H. Derenthal, Madison.

##### GEORGIA

Floy Stiles, Blue Ridge.

Lonnie O. Strickland, Jesup.

Annie K. Bunn, Cedartown.

Esther McCollum, Conyers.

Estelle Willis, Hardwick.

##### FLORIDA

Herbert E. Ross, Jacksonville.

##### ILLINOIS

Herman Semmelroth, Belleville.

Hanson A. Garner, Chandlerville.

Ewell V. Rigg, Edinburg.

Pearl W. Norman, Galatia.

Sara R. Warder, Hurst.

Walter C. Howe, Latham.

Benjamin A. Kent, Morrisonville.

Albert Weiland, Peru.

Viola M. Rowland, Rutland.

Herbert L. East, Highwood.

Laura M. Giesecking, Altamont.

Fred J. Bohnenkemper, Germantown.

John F. Flickinger, Lanark.

Hazel M. Riber, South Pekin.

Daniel B. Comegys, Seneca.

Abraham L. Houk, Tuscola.

Edwin G. Meyer, Valmeyer.

Chester H. Pulver, Williamsfield.

Lyman S. Graves, Wyoming.

##### INDIANA

Ray H. Weisbrod, Richmond.

Haskell Lett, Seymour.

##### MICHIGAN

Henry I. Walker, Greenville.

##### MINNESOTA

Edward R. Bell, Akely.

John O. Gullander, Belgrade.

Herman E. Kent, Sanborn.

##### MISSISSIPPI

Hammond H. Hinton, Lumberton.

##### MONTANA

Laura P. Johnson, Darby.

Malcolm K. Kedzie, Libby.

##### OKLAHOMA

John W. Rackley, Cherokee.

Clarence S. Brigham, Cushing.

James L. Lane, Kiowa.

Harry Andrews, Marland.

Milton M. Bay, Morris.

William H. McKinley, Pondercreek.

##### PENNSYLVANIA

William J. Wilson, Bentleyville.

William E. Reed, Duquesne.

Alexander Hamilton, Export.

William H. Lowry, Ligonier.

Margaret M. Jones, Miquon.

Luna J. Sturdevant, North Warren.

Frank H. McCully, Osceola Mills.

Arthur N. Rose, Rouseville.

Beula E. Dembaugh, Russellton.

Robert J. Weld, Sugargrove.

Dean R. Clifford, Trafford.

John W. Munnell, Waynesburg.  
 Arthur J. Argall, Braddock.  
 John W. Howes, Fayette City.  
 Wallace E. Shissler, Johnstown.  
 Edward R. Dissinger, Mount Gretna.  
 Harry C. Koller, Myerstown.  
 Smith M. McCreight, Reynoldsville.  
 Carrie A. Fritz, Rimersburg.  
 Harvey E. Rogers, Spring City.  
 John F. Hawbaker, West Fairview.  
 Carl V. Erickson, Arnot.  
 Joseph C. Scowden, Tionesta.

## RHODE ISLAND

May B. Lamb, Greenville.  
 Mabel J. W. Carton, Little Compton.

## TENNESSEE

Myrtle E. Hambricht, Charleston.

## VIRGINIA

Denton T. Walthall, Alberta.  
 Ferdinand C. Knight, Alexandria.  
 Lela O'N. Scott, Amelia Courthouse.  
 Abram K. Sampson, Burkeville.  
 James K. Carter, Clinchport.  
 Isabelle R. Damron, Clintwood.  
 Baxter W. Mock, Damascus.  
 Grace C. Collins, Drakes Branch.  
 Troy D. Rorrer, Dublin.  
 Louise J. Nottingham, Eastville.  
 John N. Coffman, Edinburg.  
 Harvey P. McCary, Esmont.  
 Samuel G. Allen, Front Royal.  
 Holdway E. Lane, Gate City.  
 Nellie D. Swan, Gordonsville.  
 Robert E. Berry, Green Bay.  
 John W. Rodgers, Hampden Sidney.  
 Phillip L. Harrington, Independence.  
 Susie F. Jarratt, Jarratt.  
 Augustus R. Morris, Jetersville.  
 Georgie H. Osborne, Keysville.  
 John W. Ketron, jr., Lebanon.  
 Merle C. Ralls, Midland.  
 Clinton L. Wright, Norfolk.  
 Walter C. Franklin, Pamplin.  
 Albert L. Taylor, Parksley.  
 Charles V. Tucker, Phenix.  
 Patrick J. Riley, Portsmouth.  
 Arthur E. Lybolt, Purcellville.  
 Joseph W. Stewart, Richmond.  
 Edward S. Barnitz, Salem.  
 Elton H. Finks, Somerset.  
 Robert S. Bowers, Timberville.  
 Roy M. Cleek, Warm Springs.  
 Charles E. Fulgham, Windsor.  
 Charlie R. Fisher, Wytheville.

## WISCONSIN

Leonard A. Krueger, Dalton.  
 Earl E. Murdock, Gresham.  
 David R. Fryklund, Prentice.  
 Anthony F. Ritchie, Winchester.  
 Tom C. Snyder, Belmont.  
 John A. Mathys, Casco.  
 John F. Lambert, Crandon.  
 Clyde C. Ellis, Elkhart Lake.  
 Albert F. Hahn, Humbird.  
 Eugene B. Williams, Hurley.  
 Mabel A. Dunwiddie, Juda.  
 Hazel I. Hicks, Linden.  
 Alex P. Gertschen, Marathon.  
 Guy G. Nelson, Palmyra.  
 Laura K. Duerrwaechter, South Germantown.

## WITHDRAWAL

*Executive nomination withdrawn from the Senate December 22, 1926*

## POSTMASTER

## NORTH DAKOTA

Joseph W. Mahon to be postmaster at Langdon, in the State of North Dakota.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, December 22, 1926

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Glory be to Thee, O Lord, most high. Vouchsafe this day to keep us without sin. Open up the springs of gratitude in all our breasts and may we praise Thee. We would have our hearts attuned to the angels' song, "Glory to God in the highest—on earth peace, good will toward men." O let it live on until the whole earth resounds with its blessed music. May all nations take it up until it becomes coextensive with the being of man. The Lord look upon our country to tune its great heart to thanksgiving and praise. Bless our homes and absent loved ones with good health and give them the fullest cup of good cheer and Christmas joy. In the glow of the glorious advent help us to remember those who thread the shadows of misfortune, and may we help them. As the wise men of old presented their best gifts to the world's Savior, so may we. When the years of our course are run, may His star arise above our waiting brows and light our way to the Father's house. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

## COLORADO RIVER

The SPEAKER. The gentleman from Utah [Mr. LEATHERWOOD], the gentleman from Arizona [Mr. HAYDEN], and the gentleman from Mississippi [Mr. WHITTINGTON] ask leave to file minority views on the bill (H. R. 9826) relating to the Colorado River Basin. Is there objection to the request?

There was no objection.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 11616) entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes."

The message also announced that the Senate had adopted the following concurrent resolution (H. Con. Res. 44):

*Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on the legislative day of December 22, 1926, they stand adjourned until 12 o'clock meridian, Monday, January 3, 1927.*

The message also announced that the Senate had concurred in the amendments of the House to bills to the following titles:

S. 3615. An act for the relief of soldiers who were discharged from the Army during the Spanish-American War because of misrepresentation of age;

S. 3728. An act to grant to the State of New York and the Seneca Nation of Indians jurisdiction over the taking of fish and game within the Allegany, Cattaraugus, and Oil Spring Indian Reservations; and

S. 4153. An act to provide for enlarging and relocating the United States Botanic Gardens, and for other purposes.

## RIVER AND HARBOR BILL

Mr. DEMPSEY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. DEMPSEY. I ask unanimous consent that the bill H. R. 11616 be taken from the Speaker's table for consideration.

Mr. MAPES and Mr. BLANTON rose.

Mr. BLANTON. Mr. Speaker, I did not hear the gentleman's request.

Mr. DEMPSEY. I ask unanimous consent that the bill H. R. 11616 be taken from the Speaker's table for present consideration of the Senate amendments.

The SPEAKER. The Chair does not think he ought to recognize the gentleman for that purpose. The Chair thinks there was a very definite understanding based on the remarks of the gentleman from Connecticut [Mr. TILSON] that no action would be taken with regard to the river and harbor bill specifically or any other bill except of a purely formal character. The Chair thinks such action as this would be far from a mere formal procedure, and whether or not there may be some Member present who desires to object, there are a number of Members who have gone away with this understanding in mind, and the Chair feels he ought not to recognize the gentleman for the purpose he indicates.

Mr. DEMPSEY. May I be heard on that question, Mr. Speaker?

The SPEAKER. The Chair will hear the gentleman.

Mr. DEMPSEY. I was not in the Chamber when the conversation to which the Speaker refers was held between the majority leader and the minority leader. I heard very shortly after the conversation what was said by the leaders of the two sides. I subsequently had an interview with the majority leader and the minority leader. They both said that the matter would be taken up a second time that day, and that they would make a new statement with regard to the matter. I was subsequently informed by the majority leader that they did so take it up and that they did make a subsequent statement which would make the matter in order. The majority leader is here, the minority leader is away, and I would ask the majority leader to state what the facts are.

Mr. TILSON. Mr. Speaker, the RECORD speaks for itself.

Mr. FREAR. Mr. Speaker, I was just going to say that we can clear the atmosphere here by having the request put, because I certainly will object to the unanimous-consent request.

The SPEAKER. The Chair thinks, regardless of whether the gentleman is going to object or not, it is his duty to carry out what, in his opinion, is the express understanding of the House. [Applause.]

Mr. TILSON. Mr. Speaker, as I understand the gentleman's request, it is simply that the matter be laid before the House. The gentleman has not made any motion, and no action will be taken if objection is made to laying the matter before the House at this time. Am I correct that the request is only that the matter be laid before the House?

Mr. LAGUARDIA. Oh, no; it involves more than that.

The SPEAKER. It seems to the Chair that if the matter was laid before the House there might be a motion to concur in the Senate amendments.

Mr. DEMPSEY. I will say very frankly, Mr. Speaker, that is what I had in mind, and I understood that was in perfect accord with the agreement as expressed to the House by the two leaders. If I am in error as to that, of course, I withdraw my request.

The SPEAKER. The Chair was present when the understanding was reached and has read very carefully the RECORD.

Mr. DEMPSEY. There is not any question about the fact that there was such an agreement. All I called attention to, Mr. Speaker, was the fact that I understood that it was subsequently modified. If I am wrong about that, then I withdraw my request.

The SPEAKER. The Chair thinks this matter of sufficient importance, perhaps, to read some of the colloquy. When the matter was originally brought up, the gentleman from Connecticut replying to the inquiry of the minority leader as to whether the river and harbor bill would be taken up to-day if it came over and as to whether there was a possibility of its being messaged over in time for action, said:

As to that I do not know. With the understanding that we have just had, if that bill should come to the House later than to-morrow, I should not feel inclined to ask that any action be taken upon it until after the holidays, unless the action were of a merely formal character.

The Chair thinks that agreeing to the Senate amendments is by no means a purely formal matter, as they involve matters of great importance and controversy. Furthermore, I doubt if any gentleman has been able to read all the amendments adopted by the Senate at a rather late hour last evening. The Chair thinks this would clearly go beyond the understanding of the House.

Mr. TILSON. Will the Speaker also read the modification to which the gentleman from New York refers, which, in my judgment, does not substantially change the original statement?

The SPEAKER. The Chair thinks not. The Chair thinks that the remarks made by the gentleman from Connecticut and the gentleman from Tennessee [Mr. GARRETT] later in the afternoon do not change the spirit of the understanding, and, by the way, that was at a time just before adjournment when there were hardly any Members in the Chamber at all, whereas the original agreement was had when there was at least a quorum present. The Chair thinks that many gentlemen may have gone away with the understanding that no such action, so important as agreeing to the Senate amendments to the river and harbor bill, would be taken up to-day, and the Chair feels he must protect them.

Mr. DEMPSEY. I simply want to make it perfectly plain, Mr. Speaker, that the chairman of the committee, in making this motion did it after conference with the majority leader

and with the understanding on his part as imparted to him by the majority leader that the original agreement had been modified and that the request was in order. I want to make it absolutely plain that there was no effort or intention on the part of the chairman to do anything in contravention of any understanding, and that he thought he was acting entirely in accordance with the understanding and would not have thought of moving otherwise; and, Mr. Speaker, after saying that, I withdraw my request.

Mr. TILSON. Mr. Speaker, may I proceed for a minute in order to make the matter clear, for it is due to both the gentleman from Tennessee and myself. In a subsequent colloquy to that which has been read by the Speaker it was made perfectly clear that contested matters—which would mean matters that would bring on a vote or a roll call—would be avoided, if possible, because it was hoped by many of the Members that they would get away from Washington on yesterday, and many of them did so. It was partly to protect those Members from being absent on an important roll call that it was agreed that no contested matter should be taken up. I emphasize "contested matter" because that is what I had in mind as a matter that would bring on a roll call. If there is anything that can be done by unanimous consent, if the bill could be agreed upon by unanimous consent, I should not regard it as breaking that agreement.

Mr. DEMPSEY. The gentleman from Connecticut will bear me out that when I called at his office he advised me that several Members had been to see him who had been included in those who opposed the bill as it left the House who said that they were not opposed to the bill now.

Mr. TILSON. No; I think it fairer to say that they said it was better than when it left the House; in other words, that the Senate had improved the bill.

Mr. DEMPSEY. Mr. Speaker, I withdraw my request.

Mr. HUDDLESTON rose.

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. HUDDLESTON. I wish to make an inquiry of the gentleman from Connecticut. His construction would make it absolutely necessary that all Members stay here during the holidays, because if it dwindles down to two or three they can do what they like if the Speaker should change what appears to me to be a very proper attitude on the subject. The agreement was to enable Members to go home and not have to stay here and watch things. I think the gentleman from Connecticut should reconsider his construction of the agreement.

Mr. TILSON. Mr. Speaker, there is another matter coming up before the day is over I hope that will show the gentleman from Alabama that we should not insist upon his construction of the language. The Senate is considering the Department of the Interior appropriation bill, and it is hoped that it will pass the Senate within two or three hours. It would be a very great convenience, and in the public interest, if that bill might be sent to conference before the holidays.

I think it would not be in contravention of the agreement made to send the bill to conference by unanimous consent, and I hope that it may be done.

Mr. HUDDLESTON. The gentleman has said that a proper construction is that if he could get it done by unanimous consent it is proper to bring it up, and that is what I protest against.

The SPEAKER. The Chair will state that he will not recognize any Member to-day to ask unanimous consent to take up a matter that is at all controversial, a matter which is in any degree controversial. He will recognize a request to send a bill to conference, for he thinks that is purely a formal matter.

Mr. MAPES. Mr. Speaker, I think I understand the Speaker's position, but note ought to be made of the optimism of some of the friends of the bill if they think the river and harbor bill is not controversial. I want to ask the Speaker to make sure that I understand the situation if it is his position that he will not recognize anyone to ask unanimous consent to have the river and harbor bill sent to conference until after the holidays.

The SPEAKER. The Chair thinks he would recognize a Member to ask unanimous consent to send the bill to conference. The Chair draws a distinction between asking to send the bill to conference and asking to concur in the Senate amendments.

Mr. DEMPSEY. I object. [Laughter.]

The SPEAKER. The Chair has heard no such request.

Mr. DEMPSEY. I understood the gentleman from Michigan was preferring such a request.

The SPEAKER. No; the gentleman from Michigan asked the Chair whether he would recognize a Member to ask unanimous consent to send the bill to conference.

Mr. DEMPSEY. The gentleman from New York is not asking to send the bill to conference, and I would object to anybody else making the request.

#### RIVERS AND HARBORS BILL

Mr. CHALMERS. Mr. Speaker, I ask unanimous consent to print some views on this controversy in the RECORD.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD.

Mr. DENISON. Is there anything controversial about the gentleman's remarks?

Mr. CHALMERS. No; I will attempt to pour oil on the troubled waters. It is expressing my views of the provision in the river and harbor bill to construct the Illinois project. I withdraw former objections to it and give my reasons why.

Mr. DENISON. I have no objection.

The SPEAKER. The Chair hears no objection.

Mr. CHALMERS. Mr. Speaker, I am asking time to review briefly the so-called compromise in this bill on the abstraction of water from Lake Michigan by the Chicago Sanitary District. The Members of Congress representing the Great Lakes interests yielded to the Senate amendment in the pending rivers and harbors bill providing for a modification of the Illinois River project because we felt that this paragraph as given in the Senate reprint of the rivers and harbors bill in no way could be construed to mean congressional approval of diversion of water from the Great Lakes Basin to the Mississippi Valley.

The Illinois River is formed 100 miles southwest of Lake Michigan by the confluence of the Des Plaines and the Kankakee Rivers. It flows generally southwest and empties into the Mississippi at Grafton, about 223 miles distant from Utica. The major portion of this river was ordered improved to a 7-foot depth in 1879, many years before the water steal was even thought out. In this bill we are simply sinking the project depth 2 feet, making it 9 feet deep instead of 7 feet. There is plenty of water in the Illinois River furnished by nature to run this modified project without taking a quart of water out of the Great Lakes. I have discussed this with the Chief of Engineers, and he assured me that the above statement is true. This assurance came after he had opportunity to consult his experts.

It takes 1,000 second-feet or less of water to operate this project. I call your attention to page 1387 of the Report of the Chief of Engineers, United States Army, for 1925, part 1. You will find there that there are approximately 1,500 second-feet of water throughout the entire length of the Illinois River at low water. The flow varies from this amount at low water to 130,000 second-feet at the mouth of the river at extreme flood stage.

Why should there not be plenty of water? This river receives all of the water from the Kankakee and Des Plaines. It drains an area of about 27,900 square miles and receives the water from all the creeks and rivers in that vast region.

Some of the best lawyers say that the language used in establishing the modified Illinois River project can not be construed to the directly or indirectly congressional approval of diversion of water from Lake Michigan.

Please note also that this understanding of "the intent of Congress" is not confined to our side of this controversy. Senator DENEEN, Republican, of Illinois, is reported as hailing the approval of the amendment. The following is quoted from his remarks:

The situation in regard to the water-diversion controversy will be left exactly as if the bill has never been passed.

I am placing this statement in the RECORD so that they may have a bearing upon the intent of Congress in passing this law. We do not approve diversion. We do not mention the subject except to provide—

That nothing in this act shall be construed as authorizing any diversion of water from Lake Michigan.

#### BOULDER CANYON RECLAMATION PROJECT ON THE COLORADO RIVER

Mr. SMITH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH. Mr. Speaker, I desire to draw to the attention of the Members of the House legislation which has been pending in Congress for a number of years to provide for the protection and development of the lower Colorado River Basin, and especially to House bill 9826, which was favorably reported

to the House to-day from the Committee on Irrigation and Reclamation and is now on the calendar.

The damage resulting from floods in this region amounts to millions of dollars annually, and millions of dollars have been spent by the Government, the Southern Pacific Railroad Co., and irrigation districts in construction of levees to protect the lives and property of those living in that section of the country, but the relief afforded has been only of a temporary and uncertain character. The millions of tons of silt deposited by the river raises the bed of the stream from 10 to 12 inches each year, which results in constantly increasing the danger of overflow, the menacing of the safety of the inhabitants, and the destruction of farms, orchards, and communities.

The executive and legislative branches of the Government have been repeatedly appealed to for cooperation with the people whose lives and property are in constant jeopardy for some permanent relief, and on August 19, 1921, President Harding approved an act to permit a compact or agreement between the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming respecting the disposition and apportionment of waters of the Colorado River. The act authorized the President of the United States to designate a suitable person to participate in the negotiations, and he appointed Hon. Herbert Hoover as his representative.

A commissioner was appointed by the governors of the respective States, and the commission immediately began its deliberations, and on November 24, 1922, the Colorado compact was signed at Santa Fe, N. Mex.

The pending legislation provides for the construction of a high dam at or near Boulder Canyon, in the Colorado River, for flood protection, the building of a power plant to produce a revenue to repay the Government for expenditures to be made, and the construction of a canal within the confines of the United States to afford a stable water supply for irrigation purposes to the Imperial Valley, where over 60,000 people reside, and also to supply water to about 450,000 acres of arid land which World War veterans desire to enter.

The importance and necessity of this great development was presented to Congress by the President in his message of the 7th instant, as follows:

In previous messages I have referred to the national importance of the proper development of our water resources. The great project of extension of the Mississippi system, the protection and development of the lower Colorado River, are before Congress, and I have previously commented upon them. I favor the necessary legislation to expedite these projects.

On March 17, 1924, the present Secretary of the Interior, Dr. Hubert Work, commented as follows:

The Colorado River has been under observation, survey, and study, and the subject of reports to Congress since the close of the Civil War. More than \$350,000 have been expended by the Bureau of Reclamation since the Kinkaid Act of May 18, 1920. More than \$2,000,000 have been expended by other agencies of the Government. The time has arrived when the Government should decide whether it will proceed to convert this natural menace into a national resource. (Hearings on H. R. 2903, 68th Cong. 1st sess., p. 818.)

The proposed improvement is a great constructive development which not only will end the river's "menace," but will at the same time put its water to work in the interest of society, reclaiming new lands, creating new homes, building up new industries, adding to the wealth of the Nation, and the well-being of a considerable portion of its people.

This legislation and the project it authorizes have received the most careful study and earnest consideration during the last three Congresses, and volumes of testimony have been compiled by the Committee on Irrigation and Reclamation. During this Congress weeks have been devoted to the hearing of testimony respecting the project and to the consideration of the provisions of legislation authorizing it.

The committee had before it the report of hearings held during the Sixty-seventh and Sixty-eighth Congresses, comprising thousands of pages of testimony, as well as extensive and detailed reports by Federal agencies charged with the duty of studying the Colorado River. Many members of the committee have inspected the site of the great dam which the bill authorizes, the section of Mexico through which the canal passes, the Imperial Valley, which is the region most menaced by the river's flood waters, as well as other sections of the Southwest which will be directly affected by the development. It may be said with perfect accuracy that no project of internal improvement has ever come before Congress backed by such extended and exhaustive consideration as has been accorded to this one.

Pending legislation authorizes works "for the protection and development of the lower Colorado River Basin," but it repre-

sents a vitally important step in the plan by which the waters of this great river are apportioned in a fashion which will protect and safeguard the interests of States and communities far removed from the works to be built, thus permitting these States and communities to look to the future with the assurance which established water rights give to regions dependent upon irrigation for their agricultural existence.

While the works proposed are stupendous in magnitude, a financial plan has been worked out with the assistance of the Secretary of the Treasury and incorporated in the bill, under which their cost will not burden the Federal Treasury nor weigh upon the general taxpayer. The financial burden of the development is placed upon its immediate beneficiaries. Thus section 4 (b) of the bill provides:

(b) Before any money is appropriated or any construction work done or contracted for, the Secretary of the Interior shall make provision for revenues, by contract or otherwise, in accordance with the provisions of this act, adequate, in his judgment, to insure payment of all expenses of operation and maintenance of said works incurred by the United States and for the repayment, within 50 years from the date of the completion of the project, of all amounts advanced to the fund under subdivision (b) of section 2, together with interest thereon.

The moneys advanced to the fund referred to embrace not only moneys to cover the cost of the work but interest on the same during the period of construction. Under the specific provisions of the bill, after the works are completely paid for, with interest, the Government will still forever own the portions thereof susceptible of producing revenue and will be free to so use the works that they may be made to bring a return.

#### BOULDER CANYON RECLAMATION PROJECT

The subject falls naturally into eight divisions, as follows:

- Part I. The Colorado River and its characteristics, and the Imperial Valley.
- Part II. The Boulder Canyon project—what it is, its development, and plan.
- Part III. The Colorado River compact; apportionment of waters between the States.
- Part IV. Flood control.
- Part V. Reclamation and the all-American Canal.
- Part VI. Domestic water.
- Part VII. Power.
- Part VIII. Form of bill.

#### PART I. THE COLORADO RIVER AND ITS CHARACTERISTICS, AND THE IMPERIAL VALLEY

To grasp the urgent need of "protection" to the lower Colorado River Basin and to envision the wonderful possibilities of "development" calls for a brief statement of the characteristics of the Colorado River as well as something of the Imperial Valley in California.

The Colorado is one of the great rivers of the United States. Rising in the high mountains of Colorado and Wyoming, it flows through these States and the States of Utah, Arizona, Nevada, and California. It forms part of the boundary between Arizona and Nevada and between Arizona and California. After crossing the boundary line between the United States and Mexico it flows some 50 miles through the latter country and discharges into the head of the Gulf of California.

Actual measurements, taken over a period of 25 years, show an average annual discharge of water by the river of approximately 17,000,000 acre-feet. The river varies greatly in flow, both annual and seasonal. One year the discharge may be as great as 25,000,000 acre-feet; another year it may be as low as 9,000,000 acre-feet. Even more striking is the seasonal variation. In flood the discharge at times is more than 200,000 cubic feet per second. In August, September, and October the river is at low flow. Frequently this flow is as low as 2,500 cubic feet per second; on September 11, 1924, it was less than 1,300 cubic feet per second.

The rim of the upper drainage basin of the river is composed largely of high mountain ranges. Melting snows from these ranges and the rainfall increase its volume. The lower portion of the basin is composed of hot arid plains of low altitude, broken by short mountain groups. The central portion consists of a high plateau, through which the river runs for hundreds of miles in a deep and narrow canyon.

As the river flows through the canyon region it picks up tremendous quantities of silt. Much of this is discharged in the lower reaches of the river, the annual discharge below Yuma being over 100,000 acre-feet, or more than 161,000,000 cubic yards, an amount equal in volume to the total excavations made by the United States in constructing the Panama Canal.

Imperial Valley lies in the southeasterly portion of California. On the south it is bounded by the Mexican line; its

easterly edge is about 40 miles west of the Colorado River. On the American side of the line it is separated from the river by a range of low sandhills, which lie between the river channel and the valley floor. Centuries ago the Imperial Valley was the northerly end of the Gulf of California. The tremendous quantities of silt carried by the river gradually built a great delta across the gulf, completely separating the northern from the southern end of the gulf. Evaporation unwatered the region thus cut off and left Imperial Valley. Thus Imperial Valley lies like a great saucer, with the Colorado running along its rim from 100 to 300 feet above the valley's floor.

This valley secures its sole water supply from the Colorado River through a canal starting from the river just above the international boundary and thence running for many miles through Mexico before reentering the valley.

Imperial Valley has a population of over 60,000 people, many well-built cities, over 400,000 acres of cultivated farms, property values of over \$100,000,000.

As irrigation uses have increased up the river, and particularly as irrigation has increased in Mexico, the water available for irrigation in the valley during the period of low flow of the river has grown less and less.

Imperial Valley during June, July, and August of each year is threatened by destruction by flood. In September and October it is threatened by and has actually suffered from drought.

#### PART II. THE BOULDER CANYON PROJECT—WHAT IT IS, ITS DEVELOPMENT AND PLAN

##### THE PROJECT—WHAT IT IS

The works authorized are—

(1) A dam 550 feet in height at Boulder or Black Canyon where the river forms the boundary between Arizona and Nevada. Not only do these canyons furnish a wonderful natural dam site but here is an equally wonderful natural reservoir site, where there will be impounded 26,000,000 acre-feet of water. The estimated cost of the dam is \$41,500,000, or but \$1.62 per acre-foot of storage.

(2) Power plants to utilize the water power created at the dam. (The construction of plants is left optional with the Secretary. He may, instead, lease the water power.) Five hundred and fifty thousand firm or constant horsepower will be available, or 1,000,000 horsepower on a 55 per cent load factor. The estimated cost of installing plants of 1,000,000 horsepower capacity is \$31,500,000, or \$31.50 per installed horsepower, while the cost per installed horsepower of both dam and plants is but \$73.

(3) An all-American canal from the river to the Imperial Valley. The estimated cost of the canal is \$31,000,000.

Interest during construction on the cost of these works is estimated at \$21,000,000, which, added to their cost, makes \$125,000,000, the amount of the authorized appropriation. The item of interest during construction does not, of course, represent an active appropriation and, should the Secretary elect not to build power plants, the cost of construction of the works would be reduced to \$72,500,000, with a corresponding reduction of the interest during construction item.

##### PURPOSES OF THE PROJECT

This project is wisely shaped to accomplish a variety of purposes—

First. It will end the flood menace of the lower river. The great reservoir will catch and hold the flood waters until they can be released at a rate which the river channel can accommodate with safety. The plans of the Government contemplate that 8,000,000 acre-feet of the capacity of the reservoir will be set aside for flood-control purposes.

Second. It will end an intolerable situation which now exists in Imperial Valley. This valley now secures its sole water supply by a canal which runs for some 60 miles through Mexico. The all-American canal will furnish a substitute for this and at the same time carry the water at an elevation to irrigate additional land, mostly public, lying about the rim of the cultivated area. Storage at the dam will provide sufficient water for the irrigation of Imperial Valley and these additional lands. At present Imperial Valley is subject to serious water shortages during the low flow of the river.

Third. Flood waters will be conserved at the dam and reservoir, which, besides providing for irrigation needs below, will provide for a much-needed and urgent domestic water supply for rapidly growing cities of southern California.

Fourth. The dam and reservoir will, incidentally, create a large amount of hydroelectric power, from the disposal of which the project will be in large part financed.

Under the operation of the project the flow of the river below the dam will be regulated and even. With its flow unregulated, the river can not be successfully used as a highway for

commerce. In its regulated form it will be susceptible to use by power boats and other small craft. The great reservoir will, of course, be susceptible of navigation.

Certain international complications now existing will doubtless be brought to a satisfactory solution through the construction of this project. These will be referred to in Part VI of the report.

#### LOCATION FOR DAM

The overwhelming weight of opinion favors the Boulder or Black Canyon site. These two sites are close together and are frequently termed the upper and lower Boulder Canyon sites. A dam at either site will inundate practically the same territory. Natural conditions at this point are extremely favorable for the construction of a great dam at a minimum of cost. An immense natural reservoir site is here available. A development at this point will fully and adequately serve all purposes—flood control, reclamation, domestic water, and power. It is the nearest available site to the power market, an important element from a business or financial standpoint.

As said by Secretary Hoover:

I believe the largest group of those who have dealt with the problem, both engineers and business folk, have come to the conclusion that there should be a high dam erected somewhere in the vicinity of Black Canyon. That is known usually as the Boulder Canyon site, but nevertheless it is actually Black Canyon. The dam so erected is proposed to serve the triple purpose of power, flood control, and storage. Perhaps I should state them in a different order—flood control, storage, and power—as power is a by-product of these other works.

There are theoretical engineering reasons why flood-control and storage works should be erected farther up the river and why storage works should be erected farther down the river; and I have not any doubt that given another century of development on the river all these things will be done. The problem that we have to consider, however, is what will serve the next generation in the most economical manner, and we must take capital expenditure and power markets into consideration in determining this. I can conceive the development of probably 15 different dams on the Colorado River, the securing of 6,000,000 or 7,000,000 horsepower; but the only place where there is an economic market for power to-day, at least of any consequence, is in southern California, the economical distance for the most of such dams being too remote for that market. No doubt markets will grow in time so as to warrant the construction of dams all up and down the river. We have to consider here the problem of financing; that in the erection of a dam—or of any works for that matter—we must make such recovery as we can on the cost, and therefore we must find an immediate market for power. For that reason it seems to be that logic drives us as near to the power market as possible, and that it therefore takes us down into the lower canyon. (Hearings on S. Res. 320, 68th Cong., 2d sess., p. 601.)

#### UNITED STATES THE PROPER AGENCY TO UNDERTAKE DEVELOPMENT

Because the Colorado River is an interstate and international stream, and because of the various conflicting uses of water such as for flood control, reclamation, domestic water, and power generation, the Government is the proper and logical agency to undertake this development. It is well equipped for this purpose. The Reclamation Service has had wide experience in large dam construction. This idea was well expressed by the Secretary of the Interior in his report of January 12, 1926, on the project, where he said:

Interstate and international rights and interests involved, the diversified benefits from the construction of these works, the waiting necessities of cities for increased water supplies, the large development of latent agricultural resources, the protection of those already developed, and the immense industrial benefits which may come from the production of cheap power, which together appear to render the construction and subsequent control of these works a measure of such economic and social importance that no agency but the Federal Government should be intrusted with the protection of rights or distribution of its opportunities. All uses can be coordinated and the fullest benefits realized only by their centralized control.

A similar view was voiced by the President in a telegram to C. C. Teague, of date October 7, 1924, in which he said:

The major purposes of the works to be constructed \* \* \* involve two fundamental questions which must always remain in public control—that is, flood control and the provision of immense water storage necessary to hold the seasonal and annual flow so as to provide for the large reclamation possibilities in both California and Arizona.

These considerations seem to me to dominate all others and to point logically to the Federal Government as the agency to undertake the construction of a great dam at Boulder Canyon or some other suitable locality \* \* \*. I should indeed look with great pride on the consummation of this one of our greatest national improvements within my administration. (Hearings on S. 727, 68th Cong., 2d sess., p. 13.)

This thought was also clearly expressed by the late President Harding in the manuscript of an address which he expected to deliver at San Diego. He was prevented from delivering this address by death. He said:

Such a gigantic operation may not be accomplished within the resources of the local communities. It is my view, and I believe the accepted view of a large part of our people, that the initial capital for the installation of these engineering works must be provided by the American people as a whole, and truly the American people as a whole benefit from such investment. The addition to our national assets of so productive a unit benefits, not alone the local community created by it, but also, directly and indirectly, our entire national life. \* \* \* I should, indeed, be proud if during my administration I could participate in the inauguration of this great project by affixing my signature to the proper legislation by Congress through which it might be launched. I should feel that I had some small part in the many thousands of fine American homes that would spring forth from the desert during the course of my lifetime as the result of such an act and in the extension of these fine foundations of our American people. (Hearings H. R. 2903, 68th Cong., 1st sess., pp. 1884, 1885.)

#### HOW THE PROJECT TOOK FORM

The project is one of gradual growth and development, the result of recommendations from Presidents, from Roosevelt to Coolidge, of hearings before Congress running back many years, of technical investigations and reports covering every aspect of the river, its problems, and its development.

As early as January 12, 1907, President Roosevelt submitted to Congress a message upon the problems of the lower Colorado River, in which he outlined and urged a development which will become a reality upon the completion of the project here authorized. Thus he said:

The construction work required would be: The main canal, some 60 miles in length, from Laguna Dam into the Imperial Valley; the repair and partial construction of the present distribution system in the valley and its extension to other lands, mainly public; diversion dams and distribution systems in the Colorado River valley, and provision for supplementing the natural flow of the river by means of such storage reservoirs as may be necessary. This would provide for the complete irrigation of 300,000 acres in the Imperial Valley and for 400,000 acres additional in the United States in the valley of the Colorado in Arizona and California.

On February 16, 1918, by contract between the Secretary of the Interior and the Imperial irrigation district provision was made for the creation of an all-American canal board to consist of one member named by the Reclamation Service, one by the district, and one by the University of California, such board to investigate the feasibility of an all-American canal. The engineers selected were Dr. Elwood Mead, now Commissioner of Reclamation, W. W. Schlect, and C. E. Grunsky.

This board reported on July 22, 1919, recommending an all-American canal, and legislation was presented in the Sixty-sixth Congress to carry out its recommendation. Extensive hearings were held; but Congress not being entirely satisfied with the data available, and particularly because no concrete plan for storage was before it, on May 18, 1920, passed the so-called Kinkaid Act, directing the Secretary of the Interior to make an investigation of the problems of the lower Colorado and report back to Congress his recommendations as to the proper plan of development. An appropriation of \$20,000 was made. As investigations proceeded this was supplemented by appropriations from the Imperial irrigation district, Coachella Valley, Palo Verde Valley, Arizona, Los Angeles, Pasadena, and other interested communities, aggregating \$171,000.

A preliminary report was completed in the early part of 1921. Public hearings on this were had by the Secretary of the Interior, and on February 28, 1922, his formal report recommending in substance the project here authorized was transmitted to Congress. This report is published as Senate Document No. 142 of the Sixty-seventh Congress, second session.

Bills were introduced in both Houses to carry out the recommendations of the report, and hearings were had.

Passage of legislation (the forerunner of the present bill) was recommended by the Interior Department in a communication to the House Committee on Irrigation on June 14, 1922. (Hearings on H. R. 11449, 67th Cong., 2d sess., p. 4.)

It was again urged by the department in a communication to the House committee on March 17, 1924. (Hearings on H. R. 2903, 68th Cong., 1st sess., p. 818.)

The project was favorably reported on by engineers of the Reclamation Service in February, 1924, in a voluminous report, which has been before this committee and considered by it but which has not been published. This report contains a wealth of technical data on irrigable areas, various plans of development of the river, cost estimates, and similar data.

On January 12, 1926, the Interior Department again recommended the project in a report, to which reference is herein frequently made. (Hearings on S. Res. 320, 69th Cong., 1st sess., p. 867.)

The financial plan contained in the bill was prepared by the Secretary of the Treasury. (Report to House committee.)

This summary, by no means complete, of the various reports and recommendations upon this project indicates the great care and long study which it has received from various Government departments and agencies and from congressional committees. It is a result of all these that the project has taken its present form.

PLAN OF FINANCING

The Secretary of the Interior, in his report of January 12, 1926, gives his estimate of the financial working of the project, as follows:

<i>Capital investment</i>	
Estimated cost for—	
26,000,000 acre-foot reservoir.....	\$41,500,000
1,000,000 horsepower development.....	31,500,000
The all-American canal.....	31,000,000
Interest during construction on above five years, at 4 per cent.....	21,000,000
<b>Total.....</b>	<b>125,000,000</b>
<i>Annual operation</i>	
Estimated gross revenues from—	
Sale 3,600,000,000 kilowatt-hours, power at three-tenths cent.....	\$10,800,000
Storage and delivery of water for irrigation and domestic purposes.....	1,500,000
<b>Total.....</b>	<b>12,300,000</b>
Estimated fixed annual charges for—	
Operation and maintenance, storage, and power.....	700,000
Operation and maintenance, all-American canal.....	500,000
Interest on \$125,000,000 at 4 per cent.....	5,000,000
<b>Total.....</b>	<b>6,200,000</b>
Estimated annual surplus, \$6,100,000, or thought to be sufficient to repay the entire cost in 25 years.	

ESTIMATES ARE CAREFULLY MADE

The cost estimates given by the Secretary of the Interior are the result of long and painstaking studies of that department. Mr. F. E. Weymouth, then chief engineer of the Reclamation Service, under whose personal supervision the major part of the studies were made, testified before the committee as follows:

We have on our consulting staff Mr. A. J. Wiley and Mr. Louis Hill, and we have consulted them regularly in reference to this whole problem. We have had several engineering board meetings to consider the various phases of the problem, especially in reference to types of dams and methods of construction and cost of all that sort of thing. They were outside of our regular engineering force.

Asked about the engineers in his organization, he stated:

Mr. Walker Young, who is present to-day, has had charge of the investigations in Boulder Canyon for about three and a half years. Mr. Young had more to do than anybody else in the actual working out of the detailed designs and estimates, but he at all times had the advice of our chief designing engineer, Mr. J. L. Savage, whose headquarters are now in Denver, and also of the whole designing force of that office.

Mr. Savage has under his charge about 25 or 30 engineers of all kinds. \* \* \* In addition to that we have had the assistance of Mr. Gaylord, who was until very recently our chief electrical engineer, and his assistants, and Mr. Dibble and his assistants. In the study of the water supply the irrigable areas, and the control of the river for flood or for power purposes, Mr. Debblor, who is here to-day, has made most of those studies.

We had Mr. Ransome, a geologist of the Geological Survey, make a very exhaustive geologic examination and report on the Boulder Canyon reservoir and dam site, and Mr. Jenison, of the Geological Survey, also assisted him. The Bureau of Standards has done a lot of work for the service in testing materials for construction. There is another man that I forgot to mention, a very valuable engineer and geologist, Mr. Homer Hamlin. The most work that has been done perhaps was done by Mr. Arthur P. Davis while he was the director of the service.

Well, we have utilized our regular forces a great deal; Mr. James Munn, who was formerly a contractor and is, perhaps, one of the best construction men in the country—we have had his advice, especially in reference to unit costs that we have used in the estimates.

Concerning the advisory board, composed of Mr. Wiley and Mr. Hill, he said:

We have considered with them each step that we have taken as it came up and it has had their approval. (Hearings on H. R. 2903, 68th Cong., 1st sess., pp. 741-743.)

GOVERNMENT FULLY ASSURED A RETURN OF ITS ADVANCES

Not only does the bill specifically require the complete pre-financing of the project, but the nature of the agencies which will underwrite the cost are such that there will never be any question of the prompt and businesslike meeting of all financial obligations. These agencies will be of established solvency. The Imperial irrigation district, an established going district, will be the largest contractor for irrigation water. Cities with an assessed valuation of over a billion dollars will contract for the storage of domestic water and for power to pump this water to an elevation of some 1,300 feet. Power, the great financial asset of the project, will be contracted for with such applicants as the States of Nevada and Arizona, private utilities like the Southern California Edison Co., and cities like Los Angeles, Pasadena, Glendale, and Riverside. Those agencies are announced applicants for power. Their contracts will be good.

INDORSEMENTS OF PROJECT

Besides numerous indorsements of State organizations and counties, cities, and other organizations of more or less local nature, including the Boulder Dam Association, an organization composed of some 200 public bodies in California, Nevada, and Arizona, it has been indorsed by the following national organizations: National Association of Real Estate Boards, American Legion, National United Spanish War Veterans, American Federation of Labor, and the American Farm Bureau Federation. The latter national organization reaffirmed its approval as recently as the 8th of the present month.

PART III. COLORADO RIVER COMPACT—APPORTIONMENT OF WATERS BETWEEN THE STATES

In 1920 Congress, by the Kinkaid Act, directed an investigation of the lower Colorado River. This indicated the serious purpose of the Federal Government to proceed with the development of the river. As works on the lower river would be certain to create permanent water rights, a movement was started by States in the upper drainage basin of the river to settle between the States rights respecting the waters of the river, so that these would not be affected or impaired by any development which might be authorized.

Commissioners were appointed by the seven States to negotiate an interstate treaty or compact. The Hon. Herbert Hoover was named to represent the Federal Government. Various conferences were held, and finally, on November 24, 1922, at Santa Fe, N. Mex., an agreement or compact was signed dividing the waters of the river, not amongst the States, but between the upper and the lower basin States, the upper basin States being Colorado, New Mexico, Utah, and Wyoming, and the lower basin States being Arizona, California, and Nevada.

Early in 1923 the legislatures of all of these States except Arizona ratified this compact. Arizona, however, has thus far refused to ratify.

In 1925 a six-State ratification was suggested by upper-basin States, thus making the compact effective as to all the States, except Arizona. The four upper-basin States and Nevada promptly acceded to this plan. California, however, took the position that its assent to the compact on either a six or seven State basis, must be a matter of exchange for large storage and become effective only upon the authorization of such storage.

Perhaps half the time of the committee has been occupied in the consideration of this compact, and the bearing of the situation adverted to, upon the project.

Finally there emerged from the extended discussion a plan, which is expressed in the bill, for handling the interstate water-supply situation. This provides that nothing shall be done under the bill until at least the six-State ratification becomes effective. Various devices are in the bill to supplement the six-State ratification and protect the upper-basin States, these devices having been worked out and presented by representatives of these States. The bill gives the essential congressional approval of the compact upon either a six or seven State basis. As has been well said, the bill "enthrones the Colorado River compact."

This arrangement or plan is objected to by certain groups in the State of Arizona, but the committee has felt that in view of the somewhat uncertain conditions in that State and in view of the urgent necessity for flood relief in the Lower Colorado, development should not be allowed to further await

action by Arizona. The bill places no burden on Arizona that is not placed on each of the other States. Arizona is not required to approve the compact. She can make every use of the river and of the works provided in this bill that any other State can make and under exactly the same requirements as is made on the other States, namely, the use must be made subject to the terms of the compact.

As said by Mr. Hoover in testifying before the committee on March 3, 1926, in favor of the prompt authorization of this project:

I have felt that the public interest of the people involved is so great that the whole of this enormous work should not be held up because of this last remaining fraction of opposition.

All rights respecting water or power under the project are under the terms of the bill to be disposed of by contract by the Government. It is not reasonable to assume that the Government will do anything of an unfair or prejudicial nature to Arizona.

By going on with this important and urgent development the committee feels that soon the lower-basin States will reach such understandings that the seven-State ratification of the compact will become a reality, while any further delay in action will tend to a chaotic condition unfortunate alike to the upper and the lower basin States. There has already been four years of delay in development, in the hope that all matters might be adjusted between States. Any further delay will almost inevitably lead to an abandonment of interstate compact as a method of settling rights to the waters of the river and compel resort to other methods and processes, which under the circumstances would be highly unfortunate.

While the project here authorized is vital to many sections in the lower basin, the bill is no less important to upper-basin States. By giving congressional approval to the compact these States are assured in perpetuity water rights the value of which can not be overestimated. It is a mistake to think of this bill as one merely for the benefit of California or Nevada or Arizona. By "enthroning the Colorado River compact" it assures to the States of Colorado and New Mexico, Utah, and Wyoming the water rights so essential to their future.

#### PART IV. FLOOD CONTROL

Throughout all the years of hearings on this development there has been expressed by all witnesses who have appeared before the committee an absolute unanimity of view respecting the existence of flood danger in the lower Colorado River, the urgent need for quick action, and that storage up the river is the solution of the flood problem. There has also been a like unanimity of opinion that the construction of the dam and storage at Boulder or Black Canyon, as here authorized, would furnish as complete a solution of the flood danger of the river as could possibly be accomplished.

This unanimity of sentiment was to be expected in view of the physical characteristics of the river, and particularly in view of the physical characteristics and situation of Imperial Valley in respect to the Colorado. Here is a great valley with 450,000 acres of irrigated farms, and with populous cities, lying in a great depression or sink from 100 to 300 feet below the channel of the river. The slope toward the valley is much greater than the slope toward the Gulf. Of course, the river at any flood time may break from its shifting and uncertain channel and turn into the valley. The flooding of Imperial Valley would not be like the flooding of other sections, where property damage and perhaps loss of life result, but where soon the water subsides. If the Colorado once breaks into the valley and is not returned to its channel it means its permanent inundation, there being no outlet for the water. The danger, ever present, of a great flood has led every responsible Government official who has ever studied the situation to promptly and earnestly recommend immediate steps to remove the danger of such a catastrophe.

#### LEVEES FURNISH INSUFFICIENT PROTECTION

Efforts toward the protection of Imperial Valley have been made through the construction of levees, with only partial success. In 1905 the river broke into Imperial Valley, and it took two years of heroic efforts and great expense to return the river to its channel toward the Gulf. The United States then expended approximately \$1,000,000 in building what was known as Ockerson Levee, in Mexico. Hardly was this levee completed until it was washed away. The river, which theretofore had been flowing almost due southward along the foot of a plateau in Arizona and Mexico, turned westward toward the Volcano Lake region, still in Mexican territory but in a lower depression on the delta. The river was kept in this course by an extensive levee system built by the people of Imperial Valley. Gradually, however, this depression filled up. The Imperial irrigation district then, at an expense of approximately \$700,000,

directed the river through what is known as the Pescadero Cut into a triangular depression lying between the old river channel on the east and the Volcano Lake region on the north and west. This is the one remaining depression on the surface of this delta into which the river can be directed.

The Imperial irrigation district is compelled to maintain a large and expensive organization for the building and maintenance of levees in Mexico. It has built 78 miles of these levees. The district has 60 miles of railroad, trains of dump cars, and other expensive equipment for keeping up these levees, which are ever being undermined and destroyed when the river is in flood.

#### SILT DEPOSITS AGGRAVATE FLOOD DANGER

Reference has already been made to the fact that the Colorado deposits below Yuma yearly more than 100,000 acre-feet of silt. The flood danger from the river is greatly aggravated by this silt, for it was the silt deposit that built the deltaic ridge on which the river now flows, filled the old channel of the river, and later filled the channel toward Volcano Lake. Indeed, any depression which the river finds in which to flow is quickly filled with silt.

Estimates differ as to how long it will take the river to fill up the Pescadero depression, through which it is now flowing. Some say 8 years; some say 20 years. No one knows for a certainty. All that is known is that within a comparatively short time it will be filled.

The situation thus adverted to was excellently described by Mr. A. P. Davis, former Director of the Reclamation Service, as follows:

In 1920 the situation became so critical that the district undertook at great expense to make a cut from the Bee River channel to the Pescadero and succeeded in diverting the river into that channel, where it now flows. We now have the condition of relatively high land along the Bee Channel and the levee on the north, running westward to Volcano Lake. We have another ridge which the river followed for a long time and built high running nearly south, from Yuma to the Gulf of California. Between these is a triangular tract which is lower than either, traversed by the Pescadero, in which the river is now flowing. It was testified here that it would take from 15 to 25 years to build up this delta as high as the Bee River ridge. No one can tell even approximately, but it may be assumed that this channel, like the Bee Channel, will begin to grow unstable in 10 or 12 years, though it may be possible to keep the river in its present vicinity considerably longer. It is certain, however, that the river will not fill every part of that triangle of low ground before it begins to give serious trouble.

We know also that the river is now busy in its filling job and will continue it without cessation until it is completed. It will then become again as threatening as it was in 1921, when Imperial Valley was fighting for its life to keep it from overtopping Volcano Lake levee. As soon as we provide a large desilting reservoir we will hold back the silt, and the building process will be checked. If this is done at once, we take advantage of the low areas, and with the silting process checked the river channel will become relatively permanent on low ground with no tendency to leave it. Some sediment will still come from the Gila, but it is certain that the building-up process will be made much slower and the menace of the river, regulated in flow, will be removed to a distant date.

If, on the contrary, the large desilting reservoir is postponed, as some people propose, the silting will continue until this basin is filled and the river again flowing on top of a ridge, ready to break loose with any freshet and threaten Imperial Valley as it did three years ago. It is clear that the desilting reservoir must be provided quickly, and it must be of large capacity and must form a permanent lake in which all sediment will settle. (Hearings on H. R. 2903, 68th Cong., p. 1379.)

No estimates have been made as to what the cost would be to dredge an artificial channel across the delta in Mexico after the Pescadero depression is filled. The cost would, of course, be enormous and doubtless beyond the resources of local communities. The work of so dredging and maintaining a channel would also be surrounded by almost insurmountable difficulties because of being in a foreign jurisdiction.

#### DAM AT BOULDER CANYON WILL TAKE CARE OF SILT

Almost all of the silt now being discharged by the river is picked up through the canyon section and above Boulder Canyon. The proposed great reservoir there will provide ample capacity for intercepting and storing the silt. More than 300 years would be required to fill the entire reservoir, and this even without the construction of other dams above. In the meantime, of course, other developments will occur further up the river which will intercept large portions of the silt discharge and thus prolong indefinitely the usefulness of this reservoir.

## THE EFFECT OF FLOOD DANGER

The danger in which the Imperial Valley always stands of being flooded necessarily creates a feeling of uncertainty. Property values there are less than half of what the income from the property would justify. Money can be had only at excessive interest rates, while Federal farm-loan banks refuse to lend money on Imperial Valley farms.

## PART V. RECLAMATION AND THE ALL-AMERICAN CANAL

The reclamation and all-American canal features of the project are so closely interrelated that they may most conveniently be considered together.

The only source of water for irrigation and domestic use in the region below Boulder Canyon, including a large area in Arizona and California, is the Colorado River and its tributaries. A substantial portion of the irrigable lands in Arizona and the Palo Verde and Imperial Valleys in California must rely wholly upon the main stream of the Colorado.

The low flow of the river is now completely utilized. The dam and reservoir at Boulder Canyon will store the flood waters of the river, now the source of the flood menace, and make these available for irrigation uses down the river. The lowest main storage reservoir will be forever dedicated to the satisfaction of irrigation uses of water, subject only to the superior use for flood control. In all there are approximately 1,500,000 acres of land in Arizona, Nevada, and California susceptible to irrigation by the waters which will thus be conserved. Of this amount, 550,000 acres, of which about 460,000 acres lie in Imperial Valley, are now irrigated from the river.

Of the new lands susceptible to irrigation and ready at the present time for reclamation, about 400,000 acres lie along the rim of the present irrigated area in Imperial Valley. About 250,000 acres of these are public lands and 11,000 acres Indian lands. These lands lie above the level of the present canal serving Imperial Valley. To serve these lands would require an all-American canal, but an all-American canal for the service of these lands alone would impose so great a burden of cost upon them as to be impracticable. Fortunately, the present irrigated area in the Imperial Valley is desirous of ending its present intolerable condition of being served by a canal running through Mexico and is ready to bear its share of the expense of an all-American canal built at an elevation to serve both the present irrigated areas and the other lands heretofore referred to.

This share of the expense is to be cared for by contract for water. By properly apportioning the cost of the all-American Canal, authorized by the bill, between the Imperial irrigation district and these other lands, the benefits to be derived will greatly exceed the cost, making it a desirable and feasible undertaking and presenting an opportunity for the Government to reclaim its own lands under favorable and workable conditions.

## CHARACTERISTICS AND CROPS OF IMPERIAL VALLEY AND ADJACENT SECTIONS

Here the summers are hot and the winters are mild. The principal crops are lettuce, peas, spinach, and other vegetables, cantaloupes, grapes, citrus fruits, and strawberries. The warm climate makes it possible to produce all of these at a very early season, and great quantities are shipped to the eastern markets.

Generally speaking, because of the climatic conditions, the products of this section are not seriously in competition with the farm products of other portions of the United States. Most of the products of this region can not be produced elsewhere at the time of year produced there.

The rim lands referred to above, and which may be brought under irrigation by the all-American Canal, are of the same character as the lands now under successful irrigation in the valley. Their reclamation is in no sense experimental.

## DROUGHT

The flood danger to Imperial Valley is obvious and acute. Hardly less serious, however, is the danger of drought, due to increased uses of water in the upper States, and particularly to the rapidly increasing irrigation uses in Mexico.

When the development of Imperial Valley was first conceived it was thought impossible to undertake the expense of building a canal all in the United States to furnish water to the valley. Hence, advantage was taken of an old river channel and the canal was built, taking water from the Colorado River just above the boundary line, and thence meandering through Mexico for a long distance before returning to the valley. This canal was built in Mexico by a Mexican corporation under a concession by the terms of which lands in Mexico were entitled to "one-half of the volume of water passing through the canal." At this early date there was little or no irrigation in Mexico. Since that time irrigation has increased very rapidly

in Mexico, much more rapidly of late years than in the Imperial Valley in the United States. This appears from the following table, showing by years the acreage irrigated in the United States and in Mexico from the existing main canal:

Year	United States	Mexico	Total
1908	141,030	6,935	147,965
1909	160,470	9,051	169,521
1910	181,191	14,920	196,111
1911	201,782	14,953	216,735
1912	220,511	21,599	242,110
1913	242,036	33,761	275,797
1914	277,232	39,600	316,832
1915	293,534	41,000	334,534
1916	308,009	67,500	375,509
1918	367,020	118,530	485,550
1919	413,440	136,580	550,020
1920	414,720	190,000	604,720
1921	410,070	120,000	530,070
1922	413,400	150,000	563,400
1923	415,000	180,000	595,000
1924	413,832	185,022	598,854
1925	400,000	217,000	617,000

<sup>1</sup> Estimated.

There are approximately 800,000 acres of land in Mexico susceptible of irrigation by gravity from the present main canal.

Already there are more lands being irrigated from this canal than may reliably be cared for by the available water in the river. As said by Mr. M. G. Dowd, chief engineer of the Imperial irrigation district, in November, 1925, when testifying before the Senate committee—

There is no question but that even with the present irrigated acreage in Mexico the area now in crop in the United States is larger than it should be if losses are to be avoided from water shortages during the low flow of the river. Mexico has been using for several years past more than one-half of the water diverted from the river for beneficial use during July and August. As an example, take those two months for the present year: During July we delivered 144,236 acre-feet to users in Mexico and 117,589 acre-feet to users in the United States; during August the respective amounts were 139,292 and 102,442 acre-feet. With the additional 100,000 acres mentioned above, Mexico will acquire half the water diverted during longer periods of the low flow of the river, increasing the frequency and length of water shortages. This means that there will be that much less available for the lands in the United States than was the case heretofore during these periods when the acreage across the line was not large enough to demand half the water for any great length of time.

It will be observed from the table inserted above that for the last six years there has been practically no increase in the irrigated areas in the Imperial Valley. In Mexico, however, there has been an increase in the irrigated acreage of nearly 100 per cent, the acreage mounting from 118,530 acres in 1913 to 217,000 in 1925. Soon there will be another 100,000 acres of land brought under water in Mexico, this being the additional acreage referred to by Mr. Dowd. This spells disaster for ranchers in Imperial Valley.

As well expressed by the Secretary of the Interior in his report to this committee on January 12, 1926:

The canal now supplies water for the irrigation of over 400,000 acres in California, and irrigators in Mexico at present require water for the irrigation of 200,000 acres. But Mexican irrigators are entitled, under this concession, to double the volume they are now using, or for enough to irrigate as many acres as are now irrigated in California. That is more water than the unregulated flow of the river will now supply. As the Mexican irrigators are on the upper end of the canal, the pinch of scarcity, when it has come in the past, or when it may come in the future, falls first on irrigators in the United States, which country supplies the water, all the construction cost, and all the money advanced for operation. It is unfair to California irrigators now, and will be even more so after the reservoir is built.

It is physically possible to irrigate much more than 400,000 acres from this canal in Mexico. If this concession remains in force without any amendment and the canal continues to be used as now, the irrigated area in Mexico will continue to extend. The volume needed to be diverted from the river would be more than the direct flow at the low-water season, and the area irrigated in California would be subject to ruinous uncertainties and loss. If storage is provided, a part of the water for the irrigation of lands in Mexico would, under this concession, have to be supplied from the reservoir, as this canal would be the only means of conveying water to the Imperial Valley, and it can be operated only if the terms of the Mexican concession are complied with.

That Imperial Valley is in actual danger of drought is no vague fear. In 1924 all of the water of the river was diverted into the Imperial Canal for 96 days. After Mexican require-

ments had been met there was not enough left for the proper irrigation of farms in the valley, and crop losses of not less than \$5,000,000 were suffered from an actual water shortage. For several days during that period there was barely sufficient water for stock and domestic purposes.

#### OPERATIONS IN MEXICO UNSATISFACTORY

For an American community such as has grown up in Imperial Valley to be dependent entirely for its water supply for domestic use and irrigation upon a canal running 60 miles through Mexico is necessarily highly unsatisfactory. It has been cryptically said:

I would not want my jugular vein running through any foreign country.

The canal serving Imperial Valley with water is in truth and fact the jugular vein of the community which has there sprung up.

Again, if with American capital upon American soil the storm waters of the river are conserved, as they will be at Boulder Canyon, it would be highly unfortunate and contrary to sound policy if for every acre in Imperial Valley brought under irrigation and served by these waters a like amount of land would have to be developed and served in Mexico. This is just what conservation of the waters of the Colorado River without an all-American canal means; and this is what the Secretary of the Interior well expressed in the portion of his report heretofore quoted. To relieve the Imperial Valley from danger of drought, by storage alone, would make Mexico a chief beneficiary of the project. By adding the all-American canal this untoward result is avoided.

#### ALL-AMERICAN CANAL GIVES UNITED STATES STRATEGIC CONTROL OF THE WATERS OF THE COLORADO

Through the control of the release of waters stored at the dam and through the control of an all-American canal the United States will be in a position to regulate absolutely the extent to which the waters of the Colorado River will be available for use in Mexico.

#### CANAL INTEGRAL PART OF PROJECT

In order to protect American interests, to remove international difficulties and complications which now exist, to give the United States a strategic control of American waters, and to bring additional lands, mostly public, under irrigation under the only feasible plan of so doing, the all-American canal is an essential and indispensable part of this project. By the plan of the bill it is not set aside as an unrelated part of the development. The financing must cover not only the cost of the dam and the power plants if they are built, but the cost of the canal. The bill does not specify how these various costs shall be spread. All that is required is that contracts for the storage and delivery of water and power must fully cover the cost of all works, with interest. It will be for the Secretary to fairly apportion these costs as between water for irrigation and domestic use and power.

#### PART VI. DOMESTIC WATER SUPPLY

The relation of the matter of domestic water supply to the project here authorized is important. First, it assures beyond question of doubt the financial integrity of the project. The largest agency, which by contract will assume the obligation of reimbursing the Government for the cost of the project with interest, will undoubtedly be a public district, comprising a large group of cities in southern California, which will contract both for storage of water at the dam, with its delivery at a point on the river, and also for a large block of the power necessary to pump a domestic water supply to an elevation of 1,200 or 1,300 feet. Second, the project is so shaped that it will make possible the securing of a domestic water supply. Other plans of development tentatively suggested have not been adequate to this end.

The coastal belt of southern California, having a population at present of more than 1,800,000, is fast reaching the limit of its available domestic supply, and careful investigations have shown that the populous cities of this coastal plain, including the city of Los Angeles, must for their own security acquire an added source of domestic water supply, and that the Colorado presents the only place where this may be secured.

Some years ago the city of Los Angeles went to Owens Valley and constructed a great aqueduct 240 miles in length to augment local sources. Even this added supply is not proving sufficient for the needs of that city.

Nearly two years ago that city voted a bond issue of \$2,000,000 for preliminary surveys and investigation respecting the securing of a supply from the Colorado River, and enough work has already been done to fully establish the feasi-

bility of the plan, if and provided there is large storage of the flood waters of the river.

The formation of a large public district, comprising the cities of Los Angeles, Pasadena, Glendale, Orange County cities, and such other cities as desire to join, is contemplated for the purpose of building the necessary aqueduct from the river to the coast to supply these cities with domestic water. This aqueduct will be approximately 250 miles in length and cost around \$150,000,000. Because of intervening mountain ranges it will be necessary to pump the water some 1,300 feet. While this will be costly, a cheap and dependable source of power will not only reduce the financial burden but is necessary to make the project at all feasible.

The amount of water required by these cities is 1,500 second-feet. This, of course, will not all be necessary at once, but as these cities are growing rapidly they must look to the future and provide for their vital necessities.

To raise a full 1,500 second-feet to an elevation of 1,300 feet will ultimately require approximately 250,000 firm horsepower of electricity. This district will be an applicant for a contract for a substantial block of power at the dam, enough to handle the necessary pumping for a reasonable period in the future, but having in view the fact that as market conditions demand there will doubtless be other power developments on the Colorado River.

Large storage at Boulder Canyon is ideally fitted to make it possible for these cities to procure a domestic water supply. The capacity of the reservoir is sufficiently large that there may be obtained enough storage to protect against dry years or against the upper basin States retaining all or substantially all of the flow of the river during a period of dry years. Full conservation thus effected will permit of the utilization of water for a domestic supply without impinging upon irrigation requirements. The dam and reservoir also accomplish certain desilting processes essential to successful consummation of the plan of securing domestic water supply.

#### PART VII. POWER

Power may well be described as the burden bearer of the project here authorized.

A low flood-control dam, which would cost approximately two-thirds of the dam here authorized, would represent an outlay by the Federal Treasury which could not be recovered. By providing for a dam of the height here authorized, not only will the floods of the river be fully conserved, reclamation uses fully provided for, and opportunity afforded to populous cities of the coast to secure a necessary domestic water supply, but hydroelectric power will be made available in such amount and of such desirability as will easily bear a major portion of the cost of the entire development.

An eager market awaits this power. Private utilities would secure a part of it. The great district contemplating a water supply will desire a very substantial part; cities like Los Angeles, Pasadena, Glendale, Riverside are eager applicants. States contiguous to the dam will want their share. In short there can be no doubt that all the power will be contracted for at once.

It is not strange that this is so, for the power will be desirable power. According to the estimates of the Reclamation Service, if the Government builds the power plants it can be sold at the switchboard at 3 mills per kilowatt hour, and this price will take care of all operating and maintenance expense, interest on the cost of the all-American canal, and with revenues from sale of water insure the retirement of the entire investment of the Government with interest within a period of 25 years.

There will become available upon the construction of the dam 550,000 firm or constant horsepower. Conditions indicate that this would be used upon a 55 per cent load factor, calling for the installation at the dam of plants with an installed capacity of 1,000,000 horsepower. These plants will be installed in units of approximately 100,000 horsepower. Units can, of course, be installed as the market calls for power. Furthermore, some of the power will be available while the dam is in course of construction. Thus the release of this large amount of power will not come in one block but only gradually as it can be absorbed by the market.

There were many indications in the testimony adduced before the committee that there would be considerable competition to secure this very desirable power. The committee has so framed the legislation to guard as fully as might be against this asset, created by Federal initiative, being monopolized by any one agency. The bill contemplates that the power will be fairly and equitably distributed amongst the various agencies applying therefor, thus insuring the widest and fairest possible distribution of the benefits.

## PART VIII. FORM OF BILL

The pending bill has been given consideration commensurate with the great project it authorizes and the various purposes its enactment will accomplish.

It has undergone many changes and improvements. New ideas have been advanced. These as they have proved sound have been incorporated. The financial plan was prepared by the Secretary of the Treasury. Provisions to settle water rights on the river have come largely from the official representatives of upper-basin States. Valuable suggestions have originated in Federal departments having to do with the development.

The project is an intricate one. One phase has its effect upon another and apparently unrelated aspect. Each phase has been carefully covered by the bill without impinging upon any other phase.

Approximately one-third of the bill deals with the matter of interstate water rights and the Colorado River compact, and approximately one-quarter of it deals with the financial features. As to the administration of the project, this has not been burdened with undue details. Necessarily something must be left to responsible administrative agencies. This has been done, and the Secretary of the Interior, who is charged with the duty of financing and managing the development, is given a reasonable leeway in arranging contracts, fixing prices, and allocating benefits. This is illustrated in the optional provisions respecting power. The Secretary may lease the right to use water at the dam or he may construct plants and sell power at the switchboard, as may seem best to him, to the end that he may meet the requirement of completely financing the project, and this largely through the disposition of power or power rights. Fundamentals are covered. Details are appropriately left to be worked out by the Secretary.

## CONCLUSION

This bill should be passed because—

First. Congress should no longer risk a flood catastrophe to Imperial Valley—a catastrophe which further delay only courts.

Second. Reclamation possibilities in the lower basin should be safeguarded and taken care of before it is too late. Unless something is done, the river will be acquired for power development exclusively. Mexico is constantly building up added claims to its waters.

Third. The Mexican situation must be met. It is not sound policy to allow a condition to continue by which that country may and will go on using more and more water from the river, and this at the expense of existing and future irrigation in the United States.

Fourth. The Government should aid its people to secure their necessities in the way of domestic water supply, where it can do so, as here, without cost and as an incident in carrying out other Federal purposes such as river regulation and reclamation.

Fifth. It will convert a natural menace into a national asset.

Sixth. A financial scheme is presented by which the development will be completely prefinanced, thus fully protecting the Federal Treasury and the general taxpayer.

Seventh. It settles in large part water rights between States in a sensible and practical way, substituting interstate agreements for interminable litigation and controversy. Further delay points to the latter untoward results and the disintegration of the plan of settling water rights by interstate compact.

Attention is invited to the following letter from the Secretary of the Interior explaining the legislation in detail and estimating the cost and the revenues that will be produced:

LETTER FROM SECRETARY OF INTERIOR TO CHAIRMAN SMITH  
DEPARTMENT OF THE INTERIOR,  
Washington, January 18, 1926.

Hon. ADDISON T. SMITH,  
Chairman Committee on Irrigation and Reclamation,  
House of Representatives.

MY DEAR MR. SMITH: I have received your letter of January 14, transmitting, with request for report, a copy of H. R. 6251, entitled "A bill to provide for the protection and development of the lower Colorado River Basin."

Instead of discussing the provisions of this bill section by section, I desire to submit some suggestions regarding the policy and procedure to be followed in this development and the legislation required to secure the desired results. It is assumed that the dam and reservoir to be created are essentially those described in a report of the Bureau of Reclamation dated February 28, 1924, which proposes a dam 550 feet high and a reservoir to impound 26,000,000 acre-feet of water, and that the all-American canal for connecting the Colorado River with the Imperial and Coachella Valleys is substantially the one described in Senate Docu-

ment No. 142 and in the report of the all-American canal board, published in 1920.

It is my understanding that the primary purpose of this scheme is to regulate and control the flow of the river below the dam so as to lessen the menace from floods to low-lying land below; to increase the water supply for irrigation in seasons of drought and provide an adequate water supply at all seasons of the year for household and industrial uses in growing cities and towns; and to generate electric energy both as a means of making this project a financially solvent undertaking and contributing to the general prosperity of the southwestern part of the country. The general plan and purpose of this measure has my support, and I favor it being made a national undertaking, to be carried out and administered by the Federal Government.

Interstate and international rights and interests involve the diversified benefits from the construction of these works, the waiting necessities of cities for increased water supplies, the large development of latent agricultural resources, the protection of these already developed and the immense industrial benefits which may come from the production of cheap power, which together appear to render the construction and subsequent control of these works a measure of such economic and social importance that no agency but the Federal Government should be intrusted with the protection of rights or distribution of its opportunities. All uses can be coordinated and the fullest benefits realized only by their centralized control.

I shall therefore consider this development as including three features:

(1) A dam approximately 550 feet high creating a reservoir holding 26,000,000 acre-feet of water.

(2) Works for the generation of electric power.

(3) An all-American canal starting at Laguna Dam and delivering water to the Imperial and Coachella Valley canals.

The reservoir should be regulated primarily to safeguard the valleys in Arizona and California, including Imperial Valley, with its present extensive development, from the destructive effect of large floods. Water levels in the reservoir would be raised during flood periods and lowered at other times, thus equalizing the discharge of the river below and securing a regulated flow for irrigation and power. The water so impounded should be sold to cities requiring it for domestic purposes and other municipal uses and to irrigation districts, like that of the Imperial Valley, desiring a complete or supplemental water supply under the provisions of the Warren Act, payment to be made for a definite volume of water each year.

The electric energy generated should be sold to the highest and best bidders, with due regard to public interest, at the switchboard of the power plant. Contracts should not exceed 50 years in duration. Transmission of power and its distribution to be provided by the purchasers.

Water supplied for domestic, industrial, or irrigation uses should be delivered at the dam, at points along the river agreed upon, and at the terminal of the all-American canal. Prices for this water should be such as to at least repay all of the cost of operation and maintenance of the canals and an equitable part of the operating expenses of the dam. This, with the revenues from power, will, we believe, repay the entire investment in this development, with 4 per cent interest.

The money for this development should, I believe, be provided by a bond issue of the United States. It should be for a sum sufficient to provide for the construction of the dam, the power plant, and the all-American canal. An additional sum should be included in the authorization to pay interest on bonds sold during the period of construction and until such time as the revenue will meet interest charges. Providing the money for this development through a special bond issue will obviate disturbance of the regular fiscal operations of the Government. It will obviate provision by the Budget for the money needed during construction. The bonds could be sold as money would be needed. Construction would extend over a period of between 5 and 10 years if work were carried on at a rate to secure the greatest efficiency.

In the sale of water to irrigation districts and municipalities the provisions of the reclamation act and of the Warren Act would apply.

Such an adjustment of burdens and benefits should stimulate irrigation development because of the generous terms on which water will be supplied and at the same time result in a considerable revenue from the water furnished for irrigation, domestic, and industrial uses. But the money-earning feature of this development is power. The revenue from the sale of power will, it is believed, alone repay the entire cost of these works with interest at 4 per cent.

With this general outline of the development program favored I submit comments on features of the bill which are approved and others which it is believed should be modified.

The necessity for the all-American canal and the size and cost of this canal depend largely on whether the existing concession under which water is now diverted from the Colorado River at Hanlons Heading and carried through Mexico to irrigators in the Imperial Valley can be modified. If it can not be, then the all-American canal becomes an indispensable part of this development. Under this contract or con-

cession the Mexican Government gave a corporation permission to build and operate a canal across Mexican territory to irrigate land in California on condition that Mexican irrigators be given, if they desire it, one-half of all the water diverted into this canal from the Colorado River. Hence the canal has to be double the capacity required to meet the needs of California. The river has to supply double the water needed in California, and the rights of Mexicans to water under this concession grow as the irrigated area is extended in California.

The canal now supplies water for the irrigation of over 400,000 acres in California, and irrigators in Mexico at present require water for the irrigation of 200,000 acres. But Mexican irrigators are entitled under this concession to double the volume they are now using, or for enough to irrigate as many acres as are now irrigated in California. That is more water than the unregulated flow of the river will now supply. As the Mexican irrigators are on the upper end of the canal, the pinch of scarcity, when it has come in the past or when it may come in the future, falls first on irrigators in the United States, which country supplies the water, all the construction cost, and all the money advanced for operation. It is unfair to California irrigators now and will be even more so after the reservoir is built.

It is physically possible to irrigate much more than 400,000 acres from this canal in Mexico. If this concession remains in force without any amendment and the canal continues to be used as now, the irrigated area in Mexico will continue to extend. The volume needed to be diverted from the river would be more than the direct flow at the low-water season, and the area irrigated in California would be subject to ruinous uncertainties and loss. If storage is provided, a part of the water for the irrigation of lands in Mexico would, under this concession, have to be supplied from the reservoir, as this canal would be the only means of conveying water to the Imperial Valley, and it can be operated only if the terms of the Mexican concession are complied with.

If, however, the Government of Mexico would consent to a modification of this concession and definitely limit the volume of water to which Mexican irrigators would be entitled, then the future use of the present canal would be economical and desirable, a smaller high line could be built and utilized mainly for the irrigation of the higher lands of the Imperial and Coachella Valleys. Thus far no negotiations for the modification of this concession have been made. It is not known what the attitude of the Mexican Government would be, and plans for this development should, therefore, include provision for an all-American canal as an essential part of the scheme.

The building of a unified power plant by the Federal Government in the place of allocating power privileges, as proposed in the bill, is regarded as more efficient and cheaper. It will obviate controversies between applicants and long delays in their adjustment. In the end, results will, I believe, be superior to those possible under an allocation of privileges. The area for the location of separate power sites is restricted. Allotments would not be equal in value. Some allottees would, therefore, have an advantage over others. It would result in the creation of operation and administration controversies to be avoided and which a unified development will avert.

The transmission lines for the distribution and retailing of this power should be financed by its purchasers. To secure the greatest economy main transmission lines leading to different localities should be constructed for joint use. This plan of power development is not an experiment. It has been adopted by the Government with satisfactory results in the construction of other reclamation works where the generation of power is an incident to irrigation development. Salt River, Minidoka, Lahontan, and Guernsey are illustrations.

Section 6 provides that no part of the construction cost of the dam and the appurtenant works shall be charged against any lands irrigated by the waters of the reservoir. If the all-American canal is to be considered as an appurtenant work, the bill should be amended. It is believed that the sales of water from this canal will return not only the cost of operation and maintenance but pay construction costs without interest, as is done on other reclamation projects.

All revenues from power, irrigation, and domestic water supplies should be placed in a common fund and used for the payment of interest,

<sup>1</sup>The Sociedad de Riego y Terrenos de la Baja California S. A. is authorized to carry through the canal which it has built in Mexican territory, and through other canals that it may build, if convenient, water to an amount of 284 cubic meters (10,000 cubic feet) per second from the waters taken from the Colorado River in territory of the United States by the California Development Co., and which waters this company has ceded to the Sociedad de Riego y Terrenos de la Baja California S. A. It is also authorized to carry to the lands of the United States the water with the exception of that mentioned in the following article. From the water mentioned in the foregoing article, enough shall be used to irrigate the lands susceptible of irrigation in Lower California with the water carried through the canal or canals, without in any case the amount of water used exceeding one-half of the volume of water passing through said canals.

operating expenses, and build up a sinking fund for redeeming the entire bond issue.

In order to give assurance before any large expenditure is incurred that the anticipated revenues from this development will be obtained, the bill should contain a provision that before any bonds are issued and sold, and before awarding any contracts for construction, the Secretary of the Interior shall secure the execution of contracts with irrigation districts, municipalities, and corporations, on terms to be fixed, for the delivery of all water to be supplied for irrigation, domestic, and municipal uses, and shall obtain definite commitment for the purchase of power from responsible bidders in an amount to insure a sufficient return from this development to repay the money to be expended, with interest, within a period of 50 years.

Section 8, which provides for the distribution and use of all water for irrigation, power, and otherwise, in accordance with the Colorado River compact, seems well conceived and is a necessary part of this legislation. This appears to afford ample protection and assurance to those States included in the upper division of the watershed against the creation of a priority of right through the building of these works which would impair in any way their right to the volume of water guaranteed to that division in the compact. I suggest for consideration amendment to the effect that the benefits to be derived from this development shall be available only to those States or the citizens of those States which have ratified the compact.

I suggest the amendment of section 9, as follows: In line 1, page 11, strike out the words "the proportionate share," and insert in lieu thereof the words "an equitable share in accordance with the benefits received." After the word "lands" in line 15 insert "subject, however, to the provisions of subsection C of section 4, act of December 5, 1924 (43 Stat. 702)." The first amendment suggested is designed to avoid the necessity of fixing a flat-rate charge without regard to the classification or quality of the land. Experience has shown that a flat-rate charge is undesirable in some cases. The second amendment I believe of prime importance. If soldiers and sailors are to be given a preference, experience has shown that provision should be made for selection. This is desirable for the protection of all prospective entrymen, soldiers, and sailors, as well as civilians.

Since section 1 provides for the building of a dam either at Black Canyon or Boulder Canyon, I suggest that line 11, section 10, be amended so as to designate the subfund there mentioned as the "Colorado River dam fund," which would be applicable in either case. The present designation might possibly prove a misnomer. I suggest the following proviso be inserted at the end of section 10 of the bill:

"Provided, however, That no work shall be begun and no moneys expended on or in connection with the works or structures provided for in this act until the respective legislatures of at least six of the signatory States mentioned in section 13 hereof shall have approved the Colorado River compact mentioned in said section 13 and shall have consented to a waiver of the provision of the first paragraph of article 11 of said compact making the same binding and obligatory when it shall have been approved by the legislatures of each of the seven signatory States, and until the President by public proclamation shall have declared that the said compact has been approved by and become binding and obligatory upon at least six of the signatory States."

An approximate estimate of costs, operating expenses, and income leaves no question as to the ultimate solvency of this undertaking if carried out along the lines proposed. The main source of revenue will be power, and the rate assumed is lower than the wholesale prices now being paid in the West. Those of which we have information range from 3½ to 8 mills per kilowatt-hour, measured at the switchboard. As the largest consumers of this power would be distant, a low figure of 3 mills per kilowatt-hour at the switchboard has been assumed in the estimates which follow:

Colorado River Development—Boulder Canyon Reservoir, all-American canal

CAPITAL INVESTMENT

Estimated cost for—	
26,000,000 acre-foot reservoir.....	\$41,500,000
1,000,000-horsepower development.....	31,500,000
The all-American canal.....	31,000,000
Interest during construction on above, 5 years, at 4 per cent.....	21,000,000
Total.....	125,000,000

ANNUAL OPERATION

Estimated gross revenues from—	
Sale 3.6 billion kilowatt-hours power at 3 cent.....	10,800,000
Storage and delivery of water for irrigation and domestic purposes.....	1,500,000
Total.....	12,300,000

Estimated fixed annual charges for—	
Operation and maintenance, storage and power.....	700,000
Operation and maintenance, all-American canal.....	500,000
Interest on \$125,000,000 at 4 per cent.....	5,000,000
Total.....	6,200,000

Estimated annual surplus, \$6,100,000, or thought to be sufficient to repay the entire cost in 25 years.

The height of this dam as fixed will not prevent the construction of the proposed dams at Diamond Creek or Bridge Canyon. The approval of this project should open the way for other development and encourage the construction of projects above this dam for development of irrigation, power, or other purposes.

Although the difficulties of construction and magnitude of the proposed structure, compared with any other for similar purposes, are unprecedented, assuming that it is a feasible engineering possibility, the Reclamation Bureau of the Department of the Interior as now organized, with its present commissioner, is competent to construct the works contemplated in S. 1868.

With the amendments suggested, I recommend the favorable consideration of this bill by Congress.

Respectfully submitted.

HUBERT WORK.

#### RECESS

Mr. TILSON. Mr. Speaker, in order that we may have time to receive the Interior Department appropriation bill and send it to conference in case it shall be passed to-day by the Senate, I ask unanimous consent that the House stand at recess subject to the call of the Speaker, and that the Speaker have the teller bell sounded 15 minutes before he intends to call the House to order.

Mr. BLANTON. Mr. Speaker, will not the gentleman ask that we stand in recess to a definite time, say, 3 o'clock or 3 o'clock and 30 minutes?

Mr. TILSON. The gentleman should understand the difficulty in doing it that way, because the Senate may finish the bill within half an hour and it may not finish it until 4 o'clock.

Mr. BLANTON. The gentleman wants to keep us here subject to the call of the bell.

Mr. TILSON. The gentleman from Texas need not be here at that time unless he wishes to be here.

Mr. BLANTON. I know; but it is our duty to be present when this House meets.

Mr. TILSON. But the gentleman now knows that there is but one thing to be done. If the gentleman has any objection to that action, he may so state at this time, and then there would be no occasion to take a recess.

Mr. BLANTON. I do not think anybody would object to the gentleman's request if he would make it to a definite time. That is the usual custom.

Mr. TILSON. If the gentleman wishes to be brought back here again and again—possibly two or three times—it might be well to take his suggestion.

Mr. BLANTON. I suggest the gentleman make it 3.30 or 4 o'clock.

Mr. LOZIER. Mr. Speaker, I trust that the gentleman from Texas will not insist upon that definite time, because that might bring the Members of the House here possibly an hour before there would be any reason for their assembling.

Mr. TILSON. That is what I am trying to avoid, and also the possibility of bringing them back here time and time again. I am trying to avoid the loss of possibly an hour or so in case that bill should be passed quickly and be ready to be sent to conference. These are my reasons for making the time of the recess elastic.

Mr. CRAMTON. Furthermore, there would be the possibility that action might be required by the Senate after our action, and that would be holding the Senate up as well as this body.

Mr. TILSON. Precisely. It seems to me that if the Members are willing to agree to my proposal, it would make it very much more convenient and might save considerable time.

Mr. BLANTON. Then, would the gentleman have it made 30 minutes instead of 15 minutes before the Speaker calls the House to order that the bell should be rung, because there are places in the city from which it would take 30 minutes to reach the House.

Mr. TILSON. Mr. Speaker, I renew my request, and at the suggestion of the gentleman from Texas, ask that 30 minutes before the Speaker intends to call the House to order he have the teller bell sounded, and that we now stand in recess subject to the call of the Chair.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that the House stand in recess subject to the call of the Chair, with the understanding that the teller bell be sounded 30 minutes before the Chair calls the House to order. Is there objection?

Mr. MAPES. Mr. Speaker, reserving the right to object, would it not be well for the gentleman from Connecticut to include in that request an understanding that nothing will

be brought up except the proposition of sending the interior bill to conference?

Mr. TILSON. That is my intention. I shall call up nothing else, and I hope that the Speaker, unless required to do so by the rules, will not recognize anyone for any other purpose.

Mr. MAPES. It seems to me, in view of the peculiar position that we are in, that we ought to have a very definite understanding to that effect, and then the Members of the House will not need to pay any further attention to it.

Mr. TILSON. It is just as definite as can be made, I think. The floor leader will not bring up anything else and will not permit anything else to be brought up if he can prevent it, and I think the Speaker will be in accord with the floor leader in this matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut? [After a pause.] The Chair hears none, and the House stands in recess subject to the conditions named.

Accordingly (at 12 o'clock and 27 minutes p. m.) the House stood in recess.

#### AFTER RECESS

The recess having expired (at 4 o'clock p. m.), the House was called to order by the Speaker.

#### MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 14827) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes, in which the concurrence of the House was requested.

#### INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the Senate amendments to the Interior Department appropriation bill be disagreed to, that a conference be requested, and the conferees appointed.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 14827) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes.

The SPEAKER. The gentleman from Michigan asks unanimous consent to take from the Speaker's table the bill H. R. 14827, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection; and the Speaker appointed Mr. CRAMTON, Mr. MURPHY, and Mr. TAYLOR of Colorado as conferees on the part of the House.

#### ENROLLED BILLS SIGNED

The SPEAKER announced his signature to the enrolled bills of the Senate of the following titles:

S. 4742. An act providing for the promotion of Floyd Bennett, aviation pilot, United States Navy, and awarding to him a congressional medal of honor.

S. 4741. An act providing for the promotion of Lieut. Commander Richard E. Byrd, United States Navy, retired, and awarding to him a congressional medal of honor.

S. 4153. An act to provide for enlarging and relocating the United States Botanic Garden, and for other purposes.

S. 3728. An act to grant to the State of New York and the Seneca Nation of Indians jurisdiction over the taking of fish and game within the Allegany, Cattaraugus, and Oil Spring Indian Reservations.

S. 3615. An act for the relief of soldiers who were discharged from the Army during the Spanish-American War because of misrepresentation of age.

#### HOLIDAY ADJOURNMENT

Mr. SNELL. Mr. Speaker, in accordance with the terms of the concurrent resolution, I move that the House do now adjourn until Monday, January 3, 1927, at 12 o'clock.

The motion was agreed to.

The SPEAKER (at 4 o'clock and 2 minutes p. m.). The House stands adjourned until 12 o'clock Monday, January 3, 1927.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, December 23, 1926, as reported to the floor leader by clerks of the several committees:

#### COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

War Department and independent offices appropriation bills.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

817. A letter from the Secretary of the Interior, transmitting the papers in the pension case of Lottie A. Bowhall, and the papers in the claim for pension of Cora A. Moore, with a view to consideration of the repeal of so much of the act as grants pension to said Lottie A. Bowhall on the ground that the beneficiary obtained pension under such special act by fraud; to the Committee on Invalid Pensions.

818. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the District of Columbia for the fiscal year ending June 30, 1928, for the laying of water mains and for an addition to Reno Reservoir, \$250,000, to be added to the estimate of \$450,000 (H. Doc. No. 606); to the Committee on Appropriations and ordered to be printed.

819. A communication from the President of the United States, transmitting two supplemental estimates of appropriation for the War Department for the fiscal year ending June 30, 1927, amounting to a total of \$310,193.33 (H. Doc. No. 607); to the Committee on Appropriations, and ordered to be printed.

820. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the United States Commission of the Two Hundredth Anniversary of the Birth of George Washington for the fiscal year ending June 30, 1928, in the amount of \$14,000 (H. Doc. No. 608); to the Committee on Appropriations and ordered to be printed.

821. A letter from the chairman of the War Finance Corporation, transmitting the Ninth Annual Report of the War Finance Corporation (H. Doc. No. 599); to the Committee on Banking and Currency and ordered to be printed.

822. A letter from the Secretary of Agriculture, transmitting a report of the work performed and expenditures made during the fiscal year 1926 in the construction of forest highways and forest development roads and trails; to the Committee on Roads.

823. A letter from the Secretary of the Treasury, transmitting a report in connection with the administration of certain sections of the transportation act, 1920, and a draft of a bill appropriating \$48,852.83 to enable the Secretary of the Treasury to refund the amount of interest erroneously collected from certain railroads on overpayments; to the Committee on Interstate and Foreign Commerce.

824. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the Navy Department for the fiscal year ending June 30, 1927, consisting of five items amounting to \$2,027,000 (H. Doc. No. 609); to the Committee on Appropriations and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 13016. A bill granting the consent of Congress to the city of Chicago to construct a bridge across the Calumet River at or near One hundred and sixth Street, in the city of Chicago, county of Cook, State of Illinois; without amendment (Rept. No. 1646). Referred to the House Calendar.

Mr. BURTNESS: Committee on Interstate and Foreign Commerce. H. R. 13067. A bill granting the consent of Congress to the State of Montana, or Roosevelt County, or McCone County, in the State of Montana, or either or several of them, to construct, maintain, and operate a bridge across the Missouri River at or near Wolf Point, Mont.; without amendment (Rept. No. 1647). Referred to the House Calendar.

Mr. LEA of California: Committee on Interstate and Foreign Commerce. H. R. 13070. A bill granting the consent of Congress to Henry L. Gray and Elbert M. Chandler, their successors and assigns, to construct, maintain, and operate a bridge across Lake Washington; with amendment (Rept. No. 1648). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 13452. A bill granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co. to construct, maintain, and operate a railroad bridge across the Wabash River; with amendment (Rept. No. 1649). Referred to the House Calendar.

Mr. BARKLEY: Committee on Interstate and Foreign Commerce. H. R. 13455. A bill granting the consent of Congress to the Ashland Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River; without amendment (Rept. No. 1650). Referred to the House Calendar.

Mr. BARKLEY: Committee on Interstate and Foreign Commerce. H. R. 13456. A bill granting the consent of Congress to Dwight P. Robinson & Co. (Inc.), its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River; with amendment (Rept. No. 1651). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 14236. A bill granting the consent of Congress to the police jury of Rapides Parish, La., to construct a bridge across Red River at or near Boyce, La.; with amendment (Rept. No. 1652). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 14239. A bill granting the consent of Congress to Meridian and Bigbee River Railway Co. to construct, maintain, and operate a railroad bridge across the Tombigbee River at or near Naheola, Ala.; with amendment (Rept. No. 1653). Referred to the House Calendar.

Mr. COOPER of Ohio: Committee on Interstate and Foreign Commerce. H. R. 14246. A bill granting the consent of Congress to the Maysville Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River; without amendment (Rept. No. 1654). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 14688. A bill to authorize the building of a bridge across the Waccamaw River in South Carolina; with amendment (Rept. No. 1655). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. J. Res. 292. A joint resolution to amend the act entitled "An act granting the consent of Congress for the construction of a bridge across the Delaware River at or near Burlington, N. J.," approved May 21, 1926; without amendment (Rept. No. 1656). Referred to the House Calendar.

Mr. SMITH: Committee on Irrigation and Reclamation. H. R. 9826. A bill to provide for the protection and development of the lower Colorado River Basin; with amendment (Rept. No. 1657). Referred to the Committee of the Whole House on the state of the Union.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 15468. A bill to authorize payment of compensation to retired warrant officers and enlisted men employed by the Panama Canal; without amendment (Rept. No. 1658). Referred to the Committee of the Whole House on the state of the Union.

Mr. ZIHLMAN: Committee on the District of Columbia. H. R. 15475. A bill amending the act approved August 30, 1890 (Stat. L., vol. 26, pp. 412, 413), relative to proceedings for condemnation of land for public purposes; without amendment (Rept. No. 1659). Referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GREEN of Iowa: A bill (H. R. 15601) to conserve the revenues from medicinal spirits and provide for the effective Government control of such spirits, to prevent the evasion of taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. HASTINGS: A bill (H. R. 15602) to amend the last paragraph of an act entitled "An act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States"; to the Committee on Indian Affairs.

By Mr. LEAVITT: A bill (H. R. 15603) authorizing the Secretary of the Interior to enter into a cooperative agreement or agreements with the State of Montana and private owners of lands within the State of Montana for grazing and range development, and for other purposes; to the Committee on the Public Lands.

By Mr. SPEAKS: A bill (H. R. 15604) for the promotion of rifle practice throughout the United States; to the Committee on Military Affairs.

By Mr. GRIEST: A bill (H. R. 15605) to provide for the establishment of a postal guard service in the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. DENISON: A bill (H. R. 15606) to regulate interstate commerce by motor vehicles operating as common carriers on the public highways; to the Committee on Interstate and Foreign Commerce.

By Mr. ZIHLMAN: A bill (H. R. 15607) to provide a code of law governing legal reserve life insurance business in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. McDUFFIE: Joint resolution (H. J. Res. 313) authorizing the Secretary of Commerce through the various and

suitable bureaus in the Department of Commerce to make investigations, with a view of developing new uses for cotton and cotton products; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDREW: Joint resolution (H. J. Res. 314) directing and providing for the assembly, inventory, classification, preparation for publication, and publication of the official records and maps relating to the participation of the military and naval forces of the United States in the World War, and authorizing appropriations therefor; to the Committee on Military Affairs.

By Mr. SEARS of Florida: Joint resolution (H. J. Res. 315) designating the columbine as the national flower of the United States; to the Committee on the Library.

By Mr. LAGUARDIA: Resolution (H. Res. 351) directing the Secretary of the Treasury to furnish to the House of Representatives certain information concerning the Bridge and Whist Club operated by Ralph W. Bickle and A. Bruce Bielaski, in the city of New York, and for other purposes; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ACKERMAN: A bill (H. R. 15608) for the relief of Gilbert P. Chase; to the Committee on Claims.

By Mr. BACHMANN: A bill (H. R. 15609) granting an increase of pension to Mary Ann Donley; to the Committee on Invalid Pensions.

By Mr. BACON: A bill (H. R. 15610) for the relief of the owners of the steam barge *Genessee* and the barge *J. Mooney*; to the Committee on Claims.

By Mr. CARPENTER: A bill (H. R. 15611) granting an increase of pension to Martha Viola Harter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15612) for the relief of William F. Sponenberg; to the Committee on Invalid Pensions.

By Mr. DAVEY: A bill (H. R. 15613) granting an increase of pension to Josephine A. Brister; to the Committee on Invalid Pensions.

By Mr. DOWELL: A bill (H. R. 15614) granting an increase of pension to Amelia Brownfield; to the Committee on Invalid Pensions.

By Mr. FISH: A bill (H. R. 15615) granting an increase of pension to Frances Evaline Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15616) granting an increase of pension to Annie M. Owen; to the Committee on Invalid Pensions.

By Mr. FLETCHER: A bill (H. R. 15617) to provide for the retirement of Donald G. Wetterauer as a first sergeant in the United States Army; to the Committee on Military Affairs.

By Mr. GLYNN: A bill (H. R. 15618) granting an increase of pension to Mary A. Finn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15619) granting an increase of pension to Ann Stevens; to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 15620) granting an increase of pension to Harriett Runion; to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 15621) granting a pension to Mattie Wood; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H. R. 15622) granting an increase of pension to Annie Vandergrift; to the Committee on Invalid Pensions.

By Mr. MacGREGOR: A bill (H. R. 15623) granting an increase of pension to Adelaide H. Barr; to the Committee on Invalid Pensions.

By Mr. MOONEY: A bill (H. R. 15624) for the relief of Andrew McLaughlin; to the Committee on Military Affairs.

By Mr. MURPHY: A bill (H. R. 15625) granting an increase of pension to Ida Richardson; to the Committee on Invalid Pensions.

By Mr. POU: A bill (H. R. 15626) granting an increase of pension to Eleanor Stephens; to the Committee on Pensions.

By Mr. RAINEY: A bill (H. R. 15627) granting an increase of pension to Ellen McFarland; to the Committee on Invalid Pensions.

By Mr. RATHBONE: A bill (H. R. 15628) granting an increase of pension to Emma R. Butterfield; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 15629) for the relief of Erasmus J. Booth; to the Committee on Military Affairs.

By Mr. RUBEY: A bill (H. R. 15630) granting a pension to Benjamin Ferrier; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 15631) granting an increase of pension to Orinda L. Burdick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15632) granting an increase of pension to Eliza J. Freese; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 15633) to correct the military record of John W. Cleavenger, deceased; to the Committee on Military Affairs.

By Mr. TINCHER: A bill (H. R. 15634) granting an increase of pension to Mary T. Eagy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15635) granting an increase of pension to Theresa P. Hardy; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 15636) for the relief of Mrs. Charles Stewart; to the Committee on Claims.

By Mr. WHITE of Kansas: A bill (H. R. 15637) for the relief of David Parrett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15638) granting an increase of pension to Sarah E. Gee; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 15639) granting an increase of pension to Achshah E. Purinton; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Texas: A bill (H. R. 15640) granting a pension to James M. Lane; to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4397. By Mr. CULLEN: Resolutions adopted by the Medical Society of the State of New York, expressing opposition to Senate bill 4085 and House bill 11612, which measures seek to amend the Harrison narcotic law; to the Committee on Ways and Means.

4398. By Mr. LEAVITT: Resolutions of the Bozeman Woman's Club, of Bozeman, Mont., protesting against the proposed elimination of an area in the southwestern corner of Yellowstone National Park to be used as a reservoir; to the Committee on the Public Lands.

4399. By Mr. O'CONNELL of New York: Petition of the Commonwealth of Massachusetts Department of Agriculture, with reference to secure fertilizers at a lower cost and in more concentrated form; to the Committee on Agriculture.

#### SENATE

MONDAY, January 3, 1927

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, with whom there is no variableness nor shadow of turning, Thou art the same yesterday, to-day, and forever. We deal with so much that is uncertain in life that we come to Thee this morning grateful for Thy blessings during the past year and ask from Thee guidance through this year. Enable us to see things from the standard of Thine own invitation and guidance and thus direct our ways that we may honor Thee in all things. We humbly beg in Jesus Christ's name. Amen.

PETER NORBECK, a Senator from the State of South Dakota, appeared in his seat to-day.

#### THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of Wednesday, December 22, 1926, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 14827) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CRAMTON, Mr. MURPHY, and Mr. TAYLOR of Colorado were appointed managers on the part of the House at the conference.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were thereupon signed by the Vice President:

S. 3615. An act for the relief of soldiers who were discharged from the Army during the Spanish-American War because of misrepresentation of age;